

HB0301S01 compared with HB0301

~~{deleted text}~~ shows text that was in HB0301 but was deleted in HB0301S01.

inserted text shows text that was not in HB0301 but was inserted into HB0301S01.

DISCLAIMER: This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

Representative Brian S. King proposes the following substitute bill:

PESTICIDE APPLICATION NOTIFICATION AMENDMENTS

2015 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Brian S. King

Senate Sponsor: _____

LONG TITLE

General Description:

This bill requires a public school to provide certain notification ~~{before}~~ related to the application of a pesticide product.

Highlighted Provisions:

This bill:

- ▶ defines terms:
- ▶ requires a local ~~{school board or charter school governing board}~~ education agency (LEA) to annually notify a school community of all pesticide products intended for use at the school:
- ▶ requires an LEA to notify the school community before applying a pesticide ~~{inside a school building or on school grounds}~~ product that the LEA did not include in the annual notification:

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- ▶ provides exceptions to the pesticide product notification requirements; and
- ▶ requires the State Board of Education to make rules.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

ENACTS:

53A-3-432, Utah Code Annotated 1953

Be it enacted by the Legislature of the state of Utah:

Section 1. Section 53A-3-432 is enacted to read:

53A-3-432. Pesticide application notification requirements.

(1) As used in this section:

(a) "Board" means the State Board of Education.

(b) "Local education agency" or "LEA" means:

(i) a school district;

(ii) a charter school; or

(iii) the Utah Schools for the Deaf and the Blind.

(~~f~~a)c) "~~f~~Pesticide~~f~~Pest" means the same as that term is defined in Section 4-14-2.

(d) (i) "Pesticide product" means a product containing a substance or mixture of substances that is intended to prevent, destroy, repel, control, or mitigate pests.

(ii) "Pesticide product" does not include living organisms.

(~~f~~b)e) "School community" means individuals associated with a ~~f~~public~~f~~ school, including:

(i) a student enrolled in the school;

(ii) a parent of a student enrolled in the school; ~~f~~and~~f~~or

(iii) a school employee.

(2) ~~f~~A local school board or charter school governing board of a school~~f~~ On or before October 1 of each school year, an LEA shall provide written notification to members of the school community of all pesticide products that the LEA plans to apply inside a school building

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or on school grounds during that school year.

(3) In the annual notification described in Subsection (2), the LEA shall include:

(a) the name of each pesticide product;

(b) the active ingredients in each pesticide product; and

(c) the intended or planned frequency of application for each pesticide product.

(4) (a) Except as provided in Subsection (5), if an LEA plans to apply a pesticide product that the LEA did not include in the annual notification described in Subsection (2), the LEA shall notify the school community of the ~~school about a~~ pesticide ~~product~~ application ~~planned for inside the school or on the school grounds~~ no less than 72 hours before the ~~pesticide~~ application by:

~~(a) posting a written notice on each public entrance to the school; and~~

~~(b) using notification at the school, in a location visible to the school community; and~~

~~(ii) any other notification system used by the local school board, charter school governing board, or school for providing a routine notification.~~

Legislative Review Note

~~as of 2-10-15 9:38 AM~~

~~Office of Legislative Research and General Counsel~~ that the LEA routinely uses to inform the school community of matters relating to the school.

(b) The notification described in Subsection (4)(a) shall include the pesticide product's name and active ingredients.

(5) An LEA is not required to provide notification for application of a pesticide product that the LEA did not include in the annual notification described in Subsection (2) if:

(a) the urgent need of the pesticide product application makes it impractical for the LEA to provide advance notice;

(b) an entity other than the school or LEA, including a mosquito district, is requiring the pesticide product application; or

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(c) the planned pesticide product application meets other criteria for exception from the notification requirement, as defined by rule made under Subsection (7).

(6) Nothing in this section prohibits an LEA from notifying a school community before each pesticide product application.

(7) The board shall make rules, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, to establish:

(a) procedures for complying with the requirements of this section; and

(b) as appropriate, exceptions to the notification requirements described in this section.