

PEST CONTROL LICENSING AMENDMENTS

2018 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Scott H. Chew

Senate Sponsor: _____

LONG TITLE

General Description:

This bill modifies provisions of the Utah Pesticide Control Act.

Highlighted Provisions:

This bill:

► modifies the requirements for obtaining a business registration certificate for a pesticide applicator business.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

4-14-111, as renumbered and amended by Laws of Utah 2017, Chapter 345

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

Section 1. Section **4-14-111** is amended to read:

4-14-111. Registration required for a pesticide business.

(1) A pesticide applicator business shall register with the department by:

(a) submitting an application on a form provided by the department;

(b) paying the registration fee; and



28 (c) certifying that the business is in compliance with this chapter and departmental
29 rules authorized by this chapter.

30 (2) (a) By following the procedures and requirements of Section 63J-1-504, the
31 department shall establish a registration fee based on the number of pesticide applicators
32 employed by the pesticide applicator business.

33 (b) (i) Notwithstanding Section 63J-1-504, the department shall deposit the fees as
34 dedicated credits and may only use the fees to administer and enforce this chapter.

35 (ii) The Legislature may annually designate the revenue generated from the fee as
36 nonlapsing in an appropriations act.

37 (3) The department shall issue a business registration certificate to a pesticide
38 applicator business if the individual or entity:

39 (a) has complied with the requirements of this section;

40 (b) has shown evidence of competence in the pesticide profession, including that the
41 individual or the owner or operator of the entity has at least two years of experience as a
42 licensed pesticide applicator under Section 4-14-103, and meets the certification requirements
43 established by rule;

44 (c) demonstrates good character;

45 (d) has no outstanding infractions and owes no money to the department; and

46 (e) pays the licensing fee established by the department.

47 (4) A registration certificate expires on December 31 of the second calendar year after
48 the calendar year in which the registration certificate is issued.

49 (5) (a) The department may suspend a registration certificate if the pesticide applicator
50 business violates this chapter or any rules authorized by it.

51 (b) A pesticide applicator business whose registration certificate has been suspended
52 may apply to the department for reinstatement of the registration certificate by demonstrating
53 compliance with this chapter and rules authorized by this chapter.

54 (6) A pesticide applicator business shall:

55 (a) only employ a pesticide applicator who has received a license from the department,
56 as required by Section 4-14-103; and

57 (b) ensure that all employees comply with this chapter and the rules authorized by this
58 chapter.

Legislative Review Note
Office of Legislative Research and General Counsel