



Substitute Senate Bill No. 916

Public Act No. 05-252

AN ACT CONCERNING PESTICIDES AT SCHOOLS AND DAY CARE FACILITIES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Section 19a-79a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2005*):

(a) As used in this section, "pesticide" means a fungicide used on plants, an insecticide, a herbicide or a rodenticide but does not mean a sanitizer, disinfectant, antimicrobial agent or a pesticide bait, and "lawn care pesticide" means a pesticide registered by the United States Environmental Protection Agency and labeled pursuant to the federal Insecticide, Fungicide and Rodenticide Act for use in lawn, garden and ornamental sites or areas.

(b) [On and after July 1, 2000, no] No application of pesticide may be made in any building or on the grounds of any child day care center, group day care home or family day care home, each as described in section 19a-77, during regular business hours except that an emergency application may be made to eliminate an immediate threat to human health if (1) it is necessary to make the application during regular business hours, and (2) such emergency application does not involve a restricted use pesticide, as defined in section 22a-47. No child

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enrolled at such center or home may enter an area where pesticides have been applied until it is safe to do so according to the provisions on the pesticide label.

(c) No person shall apply a lawn care pesticide on the grounds of any child day care center or group day care home, as described in section 19a-77, except that an emergency application may be made to eliminate an immediate threat to human health, including, but not limited to, the elimination of mosquitoes, ticks and stinging insects, provided such emergency application does not involve a restricted use pesticide, as defined in section 22a-47.

Sec. 2. Section 10-231a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2006*):

As used in sections 10-231b to 10-231d, inclusive, and section 19a-79a, as amended by this act, (1) "pesticide" means a fungicide used on plants, an insecticide, a herbicide or a rodenticide but does not mean a sanitizer, disinfectant, antimicrobial agent or a pesticide bait, (2) a "lawn care pesticide" means a pesticide registered by the United States Environmental Protection Agency and labeled pursuant to the federal Insecticide, Fungicide and Rodenticide Act for use in lawn, garden and ornamental sites or areas, and (3) "integrated pest management" means use of all available pest control techniques including judicious use of pesticides, when warranted, to maintain a pest population at or below an acceptable level, while decreasing the use of pesticides.

Sec. 3. Section 10-231b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2006*):

(a) [On and after July 1, 2000, no] No person, other than a pesticide applicator with supervisory certification under section 22a-54 or a pesticide applicator with operational certification under section 22a-54 under the direct supervision of a supervisory pesticide applicator, may

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apply pesticide within any building or on the grounds of any school, other than a regional vocational agriculture center. This section shall not apply in the case of an emergency application of pesticide to eliminate an immediate threat to human health where it is impractical to obtain the services of any such applicator provided such emergency application does not involve a restricted use pesticide, as defined in section 22a-47.

(b) No person shall apply a lawn care pesticide on the grounds of any public or private preschool or public or private elementary school, except that (1) on and after January 1, 2006, until July 1, 2008, an application of a lawn care pesticide may be made at a public or private elementary school on the playing fields and playgrounds of such schools pursuant to an integrated pest management plan, which plan (A) shall be consistent with the model pest control management plan developed by the Commissioner of Environmental Protection pursuant to section 22a-66l, and (B) may be developed by a local or regional board of education for all public schools under its control, and (2) an emergency application of a lawn care pesticide may be made to eliminate a threat to human health, as determined by the local health director, the Commissioner of Public Health, the Commissioner of Environmental Protection, or in the case of a public elementary school, the school superintendent.

Approved July 13, 2005