



General Assembly

February Session, 2008

Raised Bill No. 370

LCO No. 2106

02106_____ENV

Referred to Committee on Environment

Introduced by:
(ENV)

AN ACT CONCERNING PESTICIDE APPLICATIONS AT DAY CARE CENTERS.

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

1 Section 1. Section 19a-79a of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2008*):

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

10 (b) [No application of pesticide may be made in] No person, other
11 than a pesticide applicator with supervisory certification under section
12 22a-54 or a pesticide applicator with operational certification under
13 section 22a-54 under the direct supervision of a supervisory pesticide
14 applicator, may apply pesticide within any building or on the grounds
15 of any child day care center, group day care home or family day care

16 home, each as described in section 19a-77 [, during regular business
17 hours except that] of the 2008 supplement to the general statutes. The
18 provisions of this subsection shall not apply in case of an emergency
19 application [may be made] to eliminate an immediate threat to human
20 health [if (1) it is necessary to make the application during regular
21 business hours, and (2)] as determined by the local health director or
22 the Commissioner of Public Health, including, but not limited to, the
23 elimination of mosquitoes, ticks and stinging insects provided such
24 emergency application does not involve a restricted use pesticide, as
25 defined in section 22a-47. No child enrolled at such center or home
26 may enter an area where pesticides have been applied until it is safe to
27 do so according to the provisions on the pesticide label.

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

35 (c) On and after October 1, 2008, and annually thereafter, each
36 provider of child day care services, as defined in section 19a-77 of the
37 2008 supplement to the general statutes, shall provide the parents or
38 guardians of each child enrolled for such services with a written
39 statement of the provider's policy on pesticide application and a
40 description of any pesticide applications made at the day care center
41 during the previous twelve months. Such statement shall indicate that
42 the parents or guardians may request prior notice of pesticide
43 applications at the day care center. Prior to providing for any
44 application of pesticide within any building or on the grounds of any
45 day care center, the provider shall notify the parents and guardians
46 who have requested prior notice under this subsection by any means
47 practicable no later than twenty-four hours prior to such application.
48 Notice under this subsection shall include (1) the name of the active

49 ingredient of the pesticide being applied, (2) the target pest, (3) the
50 location of the application on the day care center property, and (4) the
51 proposed date of the application. A copy of the record of each pesticide
52 application at a day care center shall be maintained at such center for a
53 period of five years. For the purposes of this subsection, "day care
54 center" means a child day care center, group day care home or family
55 day care home that provides "child day care services" as defined in
56 section 19a-77 of the 2008 supplement to the general statutes.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2008	19a-79a

Statement of Purpose:

To conform the requirements for pesticide applications at day care centers to the requirements for pesticide applications at schools.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]