
OLR Bill Analysis

sHB 5121

AN ACT CONCERNING THE USE OF ORGANIC PESTICIDES ON SCHOOL PROPERTY AND AUTHORIZING MUNICIPAL REGULATION OF THE USE OF PESTICIDES ON RESIDENTIAL PROPERTY.

SUMMARY:

This bill allows microbial and biochemical pesticides to be applied on school property and exempts their application from the law's restrictions on applying pesticides on such property.

It also permits municipalities to adopt an ordinance to regulate or establish standards for applying pesticides to lawns that are stricter than applicable Department of Energy and Environmental Protection (DEEP) regulations and standards.

EFFECTIVE DATE: October 1, 2012

§§ 1 & 2 — PESTICIDE APPLICATION AT SCHOOLS

The bill allows microbial and biochemical pesticides to be applied on school property. Under the bill, a "microbial pesticide" is a pesticide containing a microorganism as the active ingredient and a "biochemical pesticide" is a naturally occurring substance that controls pests by nontoxic mechanisms.

The bill exempts anyone applying these pesticides from the statutory restrictions on applying pesticides on certain school property. Current law prohibits any person, other than certain certified pesticide applicators, from applying pesticide in any building or on the grounds of a school, other than a regional agricultural science and technology education center, unless an emergency requires it. The law bans applying lawn care pesticides on any private or public preschool or school grounds with students in eighth grade or lower, except in an emergency.

§ 3 — MUNICIPAL PESTICIDE ORDINANCES

Under current law, the DEEP commissioner generally has exclusive authority to regulate pesticide spraying such as the practices and procedures used before and during spraying. The bill allows a municipality to adopt an ordinance for regulating and establishing standards for pesticide application on lawns that are more restrictive than applicable DEEP regulations and standards.

BACKGROUND

Pesticide and Lawn Care Pesticide

Under the Connecticut Pesticide Control Act, a “pesticide” is a substance or mixture of substances meant to prevent, destroy, repel, or mitigate any pest, or a substance or mixture of substances intended for use as a plant regulator, defoliant, or desiccant (CGS § 22a-47).

For purposes of the law on pesticide application at schools, a “pesticide” is a fungicide used on plants, insecticide, herbicide, or rodenticide, but not a sanitizer, disinfectant, antimicrobial agent, or pesticide bait. A “lawn care pesticide” is a federally registered and labeled pesticide for use in lawns, gardens, and ornamental sites or areas (CGS § 10-231a).

Related Bill

The Planning and Development Committee favorably reported HB 5155 (File 15), which allows lawn care pesticide application on school playing fields and grounds according to an integrated pest management plan, regardless of school grade level, under certain conditions.

COMMITTEE ACTION

Environment Committee

Joint Favorable Substitute

Yea 22 Nay 7 (03/21/2012)