
OLR Bill Analysis

SB 916 (File 52, as amended by Senate "B")*

AN ACT AUTHORIZING CIVIL PENALTIES FOR THE FAULTY, CARELESS OR NEGLIGENT APPLICATION OF PESTICIDES.

SUMMARY:

This bill bans certified pesticide applicators from applying pesticide in a negligent or reckless manner.

The bill subjects a violator to fines based on whether the application was (1) made negligently or recklessly and (2) a first or subsequent violation. Certified applicators who negligently apply pesticide are subject to a \$250 fine for a first violation and \$500 for subsequent violations. Recklessly applying pesticide subjects them to a \$500 fine for a first violation and a \$1,000 fine for any subsequent violation.

The law, unchanged by the bill, allows the Department of Energy and Environmental Protection (DEEP) commissioner to deny, revoke, or suspend an applicator's certification for applying a pesticide in a faulty, careless, or negligent manner.

*Senate Amendment "B" replaces the underlying bill which made it unlawful for a certified applicator to apply pesticide in a faulty, careless, or negligent manner and subjected violators to a civil penalty of up to \$2,500 per day and potential criminal fines, prison time, or both.

EFFECTIVE DATE: October 1, 2013

BACKGROUND

Pesticide Applicator Certification

Under the Connecticut Pesticide Control Act (CGS § 22a-46 et seq.), anyone who uses or supervises the use of a restricted use pesticide in the state must have a private or commercial certificate or permit unless

the use is directly supervised by a certified applicator. A “restricted use pesticide” is a pesticide or its use that is classified as restricted by the U.S. Environmental Protection Agency or the DEEP commissioner.

COMMITTEE ACTION

Environment Committee

Joint Favorable

Yea 28 Nay 0 (03/04/2013)

Judiciary Committee

Joint Favorable

Yea 37 Nay 4 (05/01/2013)