



General Assembly

February Session, 2014

***Raised Bill No. 5330***

LCO No. 1577



Referred to Committee on PUBLIC HEALTH

Introduced by:  
(PH)

***AN ACT CONCERNING THE APPLICATION OF PESTICIDES AT  
PARKS, PLAYGROUNDS, ATHLETIC FIELDS AND MUNICIPAL  
GREENS.***

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

1 Section 1. (NEW) (*Effective October 1, 2014*) (a) As used in this  
2 section:

3 (1) "Pesticide" means a fungicide used on plants, an insecticide, a  
4 herbicide or a rodenticide but does not mean a sanitizer, disinfectant,  
5 antimicrobial agent or a pesticide bait;

6 (2) "Microbial pesticide" means a pesticide that consists of a  
7 microorganism as the active ingredient;

8 (3) "Biochemical pesticide" means a naturally-occurring substance  
9 that controls pests by nontoxic mechanisms;

10 (4) "Lawn care pesticide" means a pesticide registered by the United  
11 States Environmental Protection Agency and labeled pursuant to the  
12 federal Insecticide, Fungicide and Rodenticide Act for use in lawn,

13 garden and ornamental sites or areas except (A) a microbial pesticide  
14 or biochemical pesticide that is registered with the United States  
15 Environmental Protection Agency, or (B) a horticultural soap or oil  
16 that is registered with the United States Environmental Protection  
17 Agency and does not contain any synthetic pesticide or synergist;

18 (5) "Certified pesticide applicator" means a pesticide applicator with  
19 (A) supervisory certification under section 22a-54 of the general  
20 statutes, or (B) operational certification under section 22a-54 of the  
21 general statutes, who operates under the direct supervision of a  
22 pesticide applicator with said supervisory certification;

23 (6) "Controlling authority" means the head of the department  
24 responsible for the maintenance of a park, playground, athletic field or  
25 municipal green, or such person's designee; and

26 (7) "Athletic field" means a field or open space used for sporting  
27 activities but does not include a golf course.

28 (b) No person other than a certified pesticide applicator shall apply  
29 pesticide within any park, playground, athletic field or municipal  
30 green, except a person other than a certified pesticide applicator may  
31 make an emergency application of pesticide to eliminate an immediate  
32 threat to human health, including, but not limited to, for the  
33 elimination of mosquitoes, ticks and stinging insects, provided (1) the  
34 controlling authority determines such emergency application of  
35 pesticide to be necessary, (2) the controlling authority deems it  
36 impractical to obtain the services of a certified pesticide applicator, and  
37 (3) such emergency application of pesticide does not involve a  
38 restricted use pesticide, as defined in section 22a-47 of the general  
39 statutes.

40 (c) No person shall apply a lawn care pesticide on the grounds of  
41 any park, playground, athletic field or municipal green, except an  
42 emergency application of pesticide may be made to eliminate an  
43 immediate threat to human health, including, but not limited to, the

44 elimination of mosquitoes, ticks and stinging insects, provided (1) the  
45 controlling authority determines such emergency application of  
46 pesticide to be necessary, and (2) such emergency application of  
47 pesticide does not involve a restricted use pesticide, as defined in  
48 section 22a-47 of the general statutes.

49 (d) Prior to providing for any application of pesticide on the  
50 grounds of any park, playground, athletic field or municipal green, the  
51 controlling authority shall, within the existing budgetary resources  
52 available to the controlling authority, provide public notice of such  
53 application not later than twenty-four hours prior to such application  
54 of pesticide. If a controlling authority determines an emergency  
55 application of pesticide to be necessary pursuant to subsection (c) of  
56 this section, such notice shall be given as soon as practicable. Notice  
57 under this subsection shall include (1) the name of the active  
58 ingredient of the pesticide being applied, (2) the target pest, (3) the  
59 location of the application of pesticide on the grounds of the park,  
60 playground, athletic field or municipal green, and (4) the date or  
61 proposed date of the application of pesticide. A copy of each notice of  
62 such application of pesticide at a park, playground, athletic field or  
63 municipal green shall be maintained by the controlling authority for a  
64 period of five years from the date of application of the pesticide and  
65 available to members of the public.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2014</i>	New section

**Statement of Purpose:**

To protect children's health from exposure to toxic lawn pesticides by applying the same restrictions concerning the application of lawn pesticides at school grounds to the application of pesticides at parks, playgrounds, athletic fields and municipal greens.

*[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.]*