



General Assembly

**Amendment**

February Session, 2014

LCO No. 3926

**\*SB0004603926SD0\***

Offered by:

SEN. MEYER, 12<sup>th</sup> Dist.

SEN. BARTOLOMEO, 13<sup>th</sup> Dist.

To: Senate Bill No. 46

File No. 104

Cal. No. 97

**"AN ACT CONCERNING PESTICIDES ON SCHOOL GROUNDS."**

1 Strike everything after the enacting clause and substitute the  
2 following in lieu thereof:

3 "Section 1. Section 10-231a of the general statutes is repealed and the  
4 following is substituted in lieu thereof (*Effective September 1, 2015*):

5 As used in sections 10-231b to 10-231d, inclusive, as amended by  
6 this act, [and section 19a-79a,] (1) "pesticide" means a fungicide used  
7 on plants, an insecticide, a herbicide or a rodenticide, but does not  
8 mean a sanitizer, disinfectant, antimicrobial agent or pesticide bait in a  
9 tamper-resistant container, (2) "lawn care pesticide" means a pesticide  
10 registered by the United States Environmental Protection Agency and  
11 labeled pursuant to the federal Insecticide, Fungicide and Rodenticide  
12 Act for use in lawn, garden and ornamental sites or areas, [and] but  
13 does not include any: (A) Microbial pesticide or biochemical pesticide  
14 that is registered with the United States Environmental Protection  
15 Agency, (B) horticultural soap or oil that is registered with the United

16 States Environmental Protection Agency, and that does not contain any  
17 synthetic pesticide or synergist, or (C) pesticide classified by the  
18 United States Environmental Protection Agency as an exempt material  
19 under 40 CFR 152.25, (3) "integrated pest management" means use of  
20 all available pest control techniques, including judicious use of  
21 pesticides, when warranted, to maintain a pest population at or below  
22 an acceptable level, while decreasing the use of pesticides, (4)  
23 "microbial pesticide" means a pesticide that consists of a  
24 microorganism as the active ingredient, and (5) "biochemical pesticide"  
25 means a naturally occurring substance that controls pests by nontoxic  
26 mechanisms.

27 Sec. 2. Section 10-231b of the general statutes is repealed and the  
28 following is substituted in lieu thereof (*Effective September 1, 2015*):

29 (a) No person, other than a pesticide applicator with supervisory  
30 certification under section 22a-54 or a pesticide applicator with  
31 operational certification under section 22a-54 under the direct  
32 supervision of a supervisory pesticide applicator, may apply pesticide  
33 within any building or on the grounds of any school, other than a  
34 regional agricultural science and technology education center. This  
35 section shall not apply in the case of an emergency application of  
36 pesticide to eliminate an immediate threat to human health where it is  
37 impractical to obtain the services of any such applicator provided such  
38 emergency application does not involve a restricted use pesticide, as  
39 defined in section 22a-47.

40 (b) No person shall apply a lawn care pesticide on the grounds of  
41 any public or private preschool or public or private school with  
42 students in grade [~~eight~~] twelve or lower, except that [(1) on and after  
43 January 1, 2006, until July 1, 2010, an application of a lawn care  
44 pesticide may be made at a public or private school with students in  
45 grade eight or lower on the playing fields and playgrounds of such  
46 school pursuant to an integrated pest management plan, which plan  
47 (A) shall be consistent with the model pest control management plan

48 developed by the Commissioner of Energy and Environmental  
49 Protection pursuant to section 22a-66l, and (B) may be developed by a  
50 local or regional board of education for all public schools under its  
51 control, and (2)] an emergency application of a [lawn care] pesticide  
52 may be made to eliminate a threat to human health, as determined by  
53 the local health director, the Commissioner of Public Health, the  
54 Commissioner of Energy and Environmental Protection or such local  
55 health director's or commissioners' designees. [, in the case of a public  
56 school, the school superintendent.]

57 Sec. 3. Subsection (a) of section 19a-79a of the general statutes is  
58 repealed and the following is substituted in lieu thereof (*Effective from*  
59 *passage*):

60 (a) As used in this section, "pesticide" means a fungicide used on  
61 plants, an insecticide, a herbicide or a rodenticide but does not mean a  
62 sanitizer, disinfectant, antimicrobial agent or a pesticide bait in a  
63 tamper-resistant container; "lawn care pesticide" means a pesticide  
64 registered by the United States Environmental Protection Agency and  
65 labeled pursuant to the federal Insecticide, Fungicide and Rodenticide  
66 Act for use in lawn, garden and ornamental sites or areas, but does not  
67 include any: (1) Microbial pesticide or biochemical pesticide that is  
68 registered with the United States Environmental Protection Agency, (2)  
69 horticultural soap or oil that is registered with the United States  
70 Environmental Protection Agency, and that does not contain any  
71 synthetic pesticide or synergist, or (3) pesticide classified by the United  
72 States Environmental Protection Agency as an exempt material under  
73 40 CFR 152.25; "certified pesticide applicator" means a pesticide  
74 applicator with [(1)] (A) supervisory certification under section 22a-54,  
75 or [(2)] (B) operational certification under section 22a-54, who operates  
76 under the direct supervision of a pesticide applicator with said  
77 supervisory certification; "licensee" means a person licensed under  
78 sections 19a-77 to 19a-87e, inclusive; and "day care center" means a  
79 child day care center, group day care home or family day care home  
80 that provides "child day care services", as described in section 19a-77;

81 "microbial pesticide" means a pesticide that consists of a  
82 microorganism as the active ingredient, and "biochemical pesticide"  
83 means a naturally occurring substance that controls pests by nontoxic  
84 mechanisms."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>September 1, 2015</i>	10-231a
Sec. 2	<i>September 1, 2015</i>	10-231b
Sec. 3	<i>from passage</i>	19a-79a(a)