



General Assembly

**Substitute Bill No. 366**

January Session, 2015



**AN ACT CONCERNING NOTICE OF PESTICIDE APPLICATIONS AT PUBLIC SCHOOLS AND AUTHORIZING THE USE OF CERTAIN MICROBIALS.**

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

1 Section 1. Subsections (c) to (e), inclusive, of section 10-231c of the  
2 general statutes are repealed and the following is substituted in lieu  
3 thereof (*Effective October 1, 2015*):

4 (c) (1) On and after July 1, 2000, parents or guardians of children in  
5 any school and school staff may register for prior notice of pesticide  
6 application at their school. Each school shall maintain a registry of  
7 persons requesting such notice. Prior to providing for any application  
8 of pesticide within any building or on the grounds of any school, the  
9 local or regional board of education shall provide for the mailing of  
10 notice to parents and guardians who have registered for prior notice  
11 under this section such that the notice is received no later than twenty-  
12 four hours prior to such application. Notice shall be given by any  
13 means practicable to school staff who have registered for such notice.  
14 Notice under this subsection shall include [(1)] (A) the name of the  
15 active ingredient of the pesticide being applied, [(2)] (B) the target pest,  
16 [(3)] (C) the location of the application on the school property, [(4)] (D)  
17 the date of the application, and [(5)] (E) the name of the school  
18 administrator, or a designee, who may be contacted for further

19 information.

20 (2) On and after October 1, 2015, prior to providing for any  
21 application of pesticide within any building or on the grounds of any  
22 school, in addition to the requirements of subdivision (1) of this  
23 subsection, the local or regional board of education shall provide for  
24 notice of such application not less than seventy-two hours prior to  
25 such application by posting the notice required by subdivision (1) of  
26 this subsection on: (A) The Internet web site for the school where such  
27 application will occur, (B) the Internet web site for such local or  
28 regional board of education, (C) the front entrance of such school  
29 where such application will occur, and (D) any bulletin board located  
30 within one hundred feet of the front entrance of such school where  
31 such application will occur. Any such notice posted pursuant to  
32 subparagraph (C) or (D) of this subdivision shall be on a sign not less  
33 than eight and one-half inches by eleven inches in size and printed in  
34 all upper case lettering of not less than twelve-point boldface type of  
35 uniform font.

36 (d) On and after July 1, 2000, no application of pesticide may be  
37 made in any building or on the grounds of any school during regular  
38 school hours or during planned activities at any school except that an  
39 emergency application may be made to eliminate an immediate threat  
40 to human health if (1) it is necessary to make the application during  
41 such a period, and (2) such emergency application does not involve a  
42 restricted use pesticide, as defined in section 22a-47. No child may  
43 enter an area where such application has been made until it is safe to  
44 do so according to the provisions on the pesticide label.

45 (e) On and after July 1, 2000, a local or regional board of education  
46 may make an emergency application of pesticide without prior notice  
47 under this section in the event of an immediate threat to human health  
48 provided the board provides for notice, by any means practicable, on  
49 or before the day that the application is to take place to any person  
50 who has requested prior notice under this section and concomitantly  
51 posts such notice on the Internet web sites and the locations and in the

52 form described in subdivision (2) of subsection (c) of this section.

53 Sec. 2. Subsections (c) and (d) of section 10-231d of the general  
54 statutes are repealed and the following is substituted in lieu thereof  
55 (*Effective October 1, 2015*):

56 (c) On and after July 1, 2000, parents or guardians of children in any  
57 school and school staff may register for notice of pesticide application  
58 at their school. Each school shall maintain a registry of persons  
59 requesting such notice. Notice under this subsection shall include (1)  
60 the name of the active ingredient of the pesticide being applied, (2) the  
61 target pest, (3) the location of the application on the school property,  
62 [(3)] (4) the date of the application, and [(4)] (5) the name of the school  
63 administrator, or a designee, who may be contacted for further  
64 information.

65 (d) (1) On and after July 1, 2000, a local or regional board of  
66 education shall provide notice, by any means practicable, to any  
67 person who has requested notice under this section on or before the  
68 day that any application of pesticide is to take place at a school. No  
69 application of pesticide may be made in any building or on the  
70 grounds of any school during regular school hours or during planned  
71 activities at any school except that an emergency application may be  
72 made to eliminate an immediate threat to human health if (1) it is  
73 necessary to make the application during such a period and (2) such  
74 emergency application does not involve a restricted use pesticide, as  
75 defined in section 22a-47. No child may enter an area of such  
76 application until it is safe to do so according to the provisions on the  
77 pesticide label.

78 (2) On and after October 1, 2015, prior to providing for any  
79 application of pesticide within any building or on the grounds of any  
80 school, in addition to the requirements of subdivision (1) of this  
81 subsection, the local or regional board of education shall provide for  
82 notice of such application not less than seventy-two hours prior to  
83 such application by posting the notice required by subsection (c) of this

84 section on: (A) The Internet web site for the school where such  
85 application will occur, (B) the Internet web site for such local or  
86 regional board of education, (C) the front entrance of such school  
87 where such application will occur, and (D) any bulletin board located  
88 within one hundred feet of the front entrance of such school where  
89 such application will occur. Any such notice posted pursuant to  
90 subparagraph (C) or (D) of this subdivision shall be on a sign not less  
91 than eight and one-half inches by eleven inches in size and printed in  
92 all upper case lettering of not less than twelve-point boldface type of  
93 uniform font.

94 Sec. 3. Section 10-231a of the general statutes is repealed and the  
95 following is substituted in lieu thereof (*Effective from passage*):

96 As used in sections 10-231b to 10-231d, inclusive, as amended by  
97 this act, [and section 19a-79a,] (1) "pesticide" means a fungicide used  
98 on plants, an insecticide, a herbicide or a rodenticide, but does not  
99 mean a sanitizer, disinfectant, antimicrobial agent or pesticide bait in a  
100 tamper-resistant container, (2) "lawn care pesticide" means a pesticide  
101 registered by the United States Environmental Protection Agency and  
102 labeled pursuant to the federal Insecticide, Fungicide and Rodenticide  
103 Act for use in lawn, garden and ornamental sites or areas. "Lawn care  
104 pesticide" does not include any: (A) Microbial pesticide or biochemical  
105 pesticide that is registered with the United States Environmental  
106 Protection Agency, (B) horticultural soap or oil that is registered with  
107 the United States Environmental Protection Agency and that does not  
108 contain any synthetic pesticide or synergist, or (C) a pesticide classified  
109 by the United States Environmental Protection Agency as an exempt  
110 material under 40 CFR 152.25, as amended from time to time, [and] (3)  
111 "integrated pest management" means use of all available pest control  
112 techniques, including judicious use of pesticides, when warranted, to  
113 maintain a pest population at or below an acceptable level, while  
114 decreasing the use of pesticides, (4) "microbial pesticide" means a  
115 pesticide that consists of a microorganism as the active ingredient, and  
116 (5) "biochemical pesticide" means a naturally occurring substance that

117 controls pests by nontoxic mechanisms.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2015</i>	10-231c(c) to (e)
Sec. 2	<i>October 1, 2015</i>	10-231d(c) and (d)
Sec. 3	<i>from passage</i>	10-231a

**ENV**      *Joint Favorable Subst.*