

OFFICE OF LEGISLATIVE RESEARCH
PUBLIC ACT SUMMARY



PA 22-83—sSB 116

Environment Committee

AN ACT CONCERNING NOTIFICATION OF PESTICIDE APPLICATIONS NEAR LAKES AND PONDS

SUMMARY: This act eliminates the requirement that pesticide application businesses publish, in a general circulation newspaper, notice of an upcoming pesticide application on a private lake or pond with more than one shoreline property owner and instead requires direct notice of the application and its scheduled date. Under existing law, unchanged by the act, if there is a state or municipally owned public access point, newspaper and signpost notice must still be given.

Under the act, the pesticide application business must notify the shoreline owners and their tenants by telephone, mail, or personal notice or by leaving a conspicuous notice on an entry door of the home on the waterfront property. When determining if a property is waterfront, the act prohibits considering any setback (i.e., distance from the shore in which certain activity is restricted or prohibited) and requires that notice also go to the setback's owner. Anyone who gives notice of an aircraft pesticide application according to state regulations is exempt from this provision.

The pesticide application business must try at least twice to notify an owner or tenant, as soon as practicable but at least 24 hours before the application, and the second attempt must be at least 24 hours after the first. If these fail, an emergency application is necessary, or integrated pest management best practices recommend an immediate application so that less pesticide is necessary, the act requires the business to notify each owner or tenant in person right before the application.

The act also requires the Department of Energy and Environmental Protection to give a public official all information it knows about a scheduled or made pesticide application (whether to land or water) when the official asks about it.

EFFECTIVE DATE: October 1, 2022