

2015 Regular Session

HOUSE BILL NO. 275

BY REPRESENTATIVE GUINN

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

PESTICIDES/HERBICIDES: Provides with respect to the use of pest control products in certain school classrooms

1 AN ACT

2 To amend and reenact R.S. 3:3382(3) and 3386(A) and to enact R.S. 3:3388(H), relative to  
3 the use of pesticides in certain school classrooms; to provide for the use of pesticides  
4 in pre-kindergarten; to provide for a definition; to establish a fee to cover the  
5 administration cost of the annual integrated pest management plan; and to provide  
6 for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 3:3382(3) and 3386(A) are hereby amended and reenacted and R.S.  
9 3:3388(H) is hereby enacted to read as follows:

10 §3382. Definitions

11 As used in this Part, the following terms shall have the following meanings  
12 ascribed to them:

13 \* \* \*

14 (3) "School" means any public or private day or residential school that  
15 provides pre-kindergarten, elementary, or secondary education.

16 \* \* \*

17 §3386. Application of pesticides by certified commercial applicator

18 A. No person shall apply or supervise the application of any herbicide,  
19 rodenticide, insecticide, or restricted use pesticide, on a non-fee basis for grass and  
20 weed control, and rodent and general pest control in, on, or around structures or

1 grounds of schools that provide education to ~~kindergarten~~ pre-kindergarten through  
 2 twelfth grade classes, unless that person is a certified commercial applicator or is  
 3 under the supervision of a certified commercial applicator as provided in R.S. 3:3242  
 4 and the rules and regulations adopted thereunder. Such certified commercial  
 5 applicator shall be trained in integrated pest management that includes but is not  
 6 limited to pest prevention, least toxic methods of pest control, and applying  
 7 pesticides judiciously. Training material shall include but not be limited to the  
 8 guidelines in the EPA publication "Pest Control in the School Environment:  
 9 Adopting Integrated Pest Management".

10 \* \* \*

11 §3388. Annual integrated pest management plan

12 \* \* \*

13 H. The commissioner of agriculture shall assess an annual fee not to exceed  
 14 one hundred twenty-five dollars for the administrative cost of reviewing the annual  
 15 integrated pest management plan.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 275 Reengrossed

2015 Regular Session

Guinn

**Abstract:** Regulates the use of pest control products and product application in pre-kindergarten schools. Modifies the definition of "school". Provides for an annual administrative fee.

Present law defines "school" as any public or private day or residential school that provides elementary or secondary education. Proposed law modifies present law by adding pre-kindergarten to the definition.

Present law prohibits the application of any herbicide, rodenticide, insecticide, or restricted use pesticide, on a non-fee basis for grass and weed control, rodent and general pest control in, on, or around structures or grounds of any school that provides education to kindergarten through 12th grade classes, unless that person is a certified commercial applicator or is under the supervision of a certified applicator as provided for in proposed law. Proposed law modifies present law by adding pre-kindergarten, thereby requiring a certified commercial applicator or a person under the supervision of a certified applicator to apply any herbicide, rodenticide, insecticide, or restricted use pesticide in, on, or around structures or grounds of pre-kindergarten schools.

Proposed law requires the commissioner of agriculture to assess an annual fee not to exceed \$125 for the administrative cost of reviewing the annual integrated pest management plan.

(Amends R.S. 3:3382(3) and 3386(A); Adds R.S. 3:3388(H))

Summary of Amendments Adopted by House

The House Floor Amendments to the engrossed bill:

1. Make technical changes.
2. Allow the commissioner of agriculture to assess an annual fee not to exceed \$125 for administrative costs of reviewing the plan.