

## **BILL ANALYSIS**

Senate Research Center

S.B. 759  
By: Brimer  
Intergovernmental Relations  
6/26/2003  
Enrolled

### **DIGEST AND PURPOSE**

Currently, pest control measures on a county right of way may not be performed by county personnel unless they hold, or are under the direct supervision of a person who holds, a commercial or noncommercial applicator license from the Department of Agriculture. S.B. 759 exempts employees of political subdivisions from the commercial or noncommercial applicator license when engaged in the general use of pesticide in an incidental use situation.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 76.109, Agriculture Code, by adding Subsections (h) to require that neither this section nor any other law prohibit a political subdivision from reducing the number of hours of training or other requirements for an employee conducting larval mosquito control on property owned or controlled by the political subdivision using biological pesticides approved for general use by the Texas Department of Health, provided the employee is given instructions adequate to ensure the safe and effective use of such pesticides.

SECTION 2. Amends Section 1951.053, Occupations Code, by adding Subsection (c) to require that neither this section nor any other law prohibit a political subdivision from reducing the number of hours of training or other requirements for an employee conducting larval mosquito control on property owned or controlled by the political subdivision using biological pesticides approved for general use by the Texas Department of Health, provided the employee is given instructions adequate to ensure the safe and effective use of such pesticides.

SECTION 3. Effective date: June 1, 2003 or September 1, 2003.