

BILL ANALYSIS

S.B. 1113
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Agriculture & Livestock
Committee Report (Unamended)

BACKGROUND AND PURPOSE

It has been reported that during a recent summer, South Texas faced severe rainstorms and flooding that increased the need for surveillance and mitigation of vector-borne diseases, especially in light of the presence of the Zika virus. It has been noted that local entities worked with state officials for a waiver for the application of pesticides for emergency mosquito control. S.B. 1113 seeks to better protect the public health of the state by providing for such a waiver in statute.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

S.B. 1113 amends the Agriculture Code to authorize a municipal or county health department to apply for a waiver from the Department of Agriculture (TDA) authorizing the application of pesticides for mosquito control in the manner provided by the bill if the municipality or county is in a state of disaster as declared by the governor under the Texas Disaster Act of 1975 or if the municipal or county health department determines that immediate action is needed to control the threat of mosquito-borne disease. The bill authorizes the TDA, on application by a municipal or county health department, to grant a waiver authorizing unlicensed employees of the municipality or county to apply pesticides for mosquito control under the direct supervision of a licensed applicator employed by the municipality or county, a nearby political subdivision, the state, or the federal government. The bill authorizes an unlicensed employee to apply pesticides as authorized by a waiver if the employee and the licensed applicator supervising the employee execute an affidavit promulgated by the TDA describing the supervision arrangement and return the affidavit to the TDA.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2019.