

AN ACT

relating to a waiver authorizing the application of pesticides for mosquito control by certain municipal or county employees in an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter E, Chapter 76, Agriculture Code, is amended by adding Section 76.120 to read as follows:

Sec. 76.120. EMERGENCY MOSQUITO CONTROL BY CERTAIN MUNICIPAL OR COUNTY EMPLOYEES. (a) A municipal or county health department may apply for a waiver from the department authorizing the application of pesticides for mosquito control in the manner provided by this section if:

(1) the municipality or county is in a state of disaster as declared by the governor under Chapter 418, Government Code; or

(2) the municipal or county health department determines that immediate action is needed to control the threat of mosquito-borne disease.

(b) On application by a municipal or county health department, the department may 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, this state, or the federal

1 government.

2 (c) An unlicensed employee of the municipality or county may
3 apply pesticides as authorized by a waiver if the unlicensed
4 employee and the licensed applicator supervising the employee
5 execute an affidavit promulgated by the department describing the
6 supervision arrangement and return the affidavit to the department.

7 SECTION 2. This Act takes effect immediately if it receives
8 a vote of two-thirds of all the members elected to each house, as
9 provided by Section 39, Article III, Texas Constitution. If this
10 Act does not receive the vote necessary for immediate effect, this
11 Act takes effect September 1, 2019.

S.B. No. 1113

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 1113 passed the Senate on April 3, 2019, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

I hereby certify that S.B. No. 1113 passed the House on May 15, 2019, by the following vote: Yeas 147, Nays 0, two present not voting.

Chief Clerk of the House

Approved:

Date

Governor