87R8982 DRS-F

By:  Pacheco H.B. No. 2750

A BILL TO BE ENTITLED

AN ACT

relating to the exemption of certain activities from regulation as a structural pest control service.

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

SECTION 1.  Subchapter B, Chapter 1951, Occupations Code, is amended by adding Section 1951.060 to read as follows:

Sec. 1951.060.  NUISANCE BIRDS. (a) This chapter does not apply to a person who for compensation performs, offers to perform, or advertises for or solicits the person's performance of activities to control nuisance birds through the use of laser lights, noise-emitting devices, or recorded sounds operating at a volume that complies with any applicable municipal or county noise ordinance, order, or rule.

(b)  This section does not apply to or authorize the use of any:

(1)  device to kill, harm, trap, or collect live nuisance birds;

(2)  chemical;

(3)  explosive device;

(4)  device emitting noise in excess of an applicable municipal or county noise ordinance, order, or rule; or

(5)  activity involving a risk of:

(A)  harm to a person, animal, or property; or

(B)  damage to the environment.

SECTION 2.  This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2021.