

1 AN ACT

2 relating to the performance of pest control work by persons who hold
3 a commercial or noncommercial applicator license issued by the
4 Department of Agriculture.

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

6 SECTION 1. Section 1951.053(a), Occupations Code, is
7 amended to read as follows:

8 (a) Except as provided by Sections 1951.212 and
9 1951.457(c), this chapter does not apply to:

10 (1) a person who performs pest control work on growing
11 plants, trees, shrubs, grass, or other horticultural plants if the
12 person holds a commercial or noncommercial applicator license from
13 the department and issued under Chapter 76, Agriculture Code, that
14 covers the pest control work or is under the direct supervision of a
15 person who holds a commercial or noncommercial applicator license
16 from the department and issued under Chapter 76, Agriculture Code,
17 that covers pest control work; or

18 (2) a person who performs pest control work on growing
19 plants, trees, shrubs, grass, or other horticultural plants or
20 rights-of-way if the person:

21 (A) is employed by a political subdivision or a
22 cemetery;

23 (B) is engaged in pest control work or vegetation
24 management for the political subdivision or cemetery;

1 (C) holds a commercial or noncommercial
2 applicator license from the department and issued under Chapter 76,
3 Agriculture Code, that covers pest control work or is under the
4 direct supervision of a person who holds a commercial or
5 noncommercial applicator license from the department and issued
6 under Chapter 76, Agriculture Code, that covers pest control work;
7 and

8 (D) complies with annual continuing education
9 required by the department.

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

President of the Senate

Speaker of the House

I certify that H.B. No. 1070 was passed by the House on March 25, 2021, by the following vote: Yeas 145, Nays 0, 1 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 1070 was passed by the Senate on April 29, 2021, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor