

By: Harris

H.B. No. 1070

A BILL TO BE ENTITLED

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.