

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.

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