

By Representatives Goode and Peadar

1 A bill to be entitled
2 An act relating to school pesticide safety;
3 creating s. 232.365, F.S.; providing
4 definitions; requiring a school pest management
5 plan; requiring notification to students,
6 parents, and staff of pesticide application;
7 providing notice requirements; requiring a
8 school pesticide registry; requiring records
9 and reports; providing an effective date.

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Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 232.365, Florida Statutes, is created to read:

232.365 School pesticide use right-to-know.--The State of Florida finds that the exposure of school children and staff to pesticide residues from surface sprays or spot sprays or fogging, including thermal fogging, poses known, and as of yet unknown, risks to their health and well-being. The state recognizes the importance of providing notification to students, parents, teachers, staff, and visitors of the application of any pesticide using surface sprays or spot sprays or fogging.

(1) DEFINITIONS.--As used in this section:

(a) "Parent" means the natural or adoptive parent or legal guardian of a student.

(b) "Pest" means an arthropod, wood destroying organism, rodent, weed, or other undesirable organism that interferes with use of the school site for human purposes.

1 (c) "Pesticide" means any substance or mixture of
2 substances intended for preventing, destroying, repelling, or
3 mitigating any pest found in a school.

4 (d) "School" includes all the buildings and the site
5 of each public or private school that houses students in
6 kindergarten through grade 12.

7 (2) PEST MANAGEMENT PLAN.--Each school must develop a
8 pest management plan which is a written document outlining the
9 school's program for pest control.

10 (3) NOTICES.--

11 (a) Each school shall post notices in the area to be
12 treated immediately before any pesticide application of
13 surface sprays or spot sprays or fogging, including thermal
14 fogging. A notice must warn students, parents, teachers,
15 staff, and visitors to keep away from a treated area, identify
16 the pesticide to be applied, the time of application, and the
17 applicator, and provide instruction about when reentry to that
18 area will be permitted. A notice must be at least 4 inches by
19 5 inches in size and in a bright and distinctive color.

20 (b) Each school shall provide instruction to the
21 students in the form of classroom announcements, reminding
22 students of indoor pesticide applications, including warnings
23 to keep away from posted areas until signs are removed and
24 they are instructed that reentry is permitted.

25 (c) Notices of outdoor pesticide applications must
26 meet the requirements of s. 482.2265(2).

27 (4) SCHOOL PESTICIDE REGISTRY.--

28 (a) Each school shall establish a pesticide registry.
29 To be listed on the registry, a parent or staff member shall
30 make a written request to the school principal. Parents or
31 staff members who are placed on this registry are to receive

1 individual notification in case of a pesticide application
2 using surface sprays or spot sprays or fogging, including
3 thermal fogging.

4 (b) At the beginning of each school year, each school
5 shall send to parents and staff information on the procedures
6 for inclusion of the school's pesticide registry. The notice
7 must also provide an announcement of the availability of the
8 school's pest management plan.

9 (5) REPORTS.--

10 (a) Each school shall keep a record of all postings
11 and notifications, listing the name and amount of pesticide
12 applied, the time and date of application, and the name of the
13 applicator.

14 (b) At the end of the school year, each school shall
15 summarize and submit to the district school board or the
16 school governing board, as applicable, for public review a
17 report of its activities conducted pursuant to this section.

18 Section 2. This act shall take effect July 1, 1997.

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21 HOUSE SUMMARY

22 Requires notification by public and private schools to
23 students, parents, and school staff of certain pesticide
24 application. Provides notice requirements. Requires
25 development of a pest management plan by each school.
26 Requires establishment of a school registry for purposes
27 of individual notification. Requires school records and
28 reports.
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