

By Senator Turner

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

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 shall develop a  
8 written pest management plan that outlines the school's  
9 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, 1998.

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21 LEGISLATIVE 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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