

By Representative Heyman

1                                   A bill to be entitled  
 2           An act relating to pest control; amending s.  
 3           482.242, F.S.; expanding the types of  
 4           ordinances a local government or political  
 5           subdivision is authorized to enact with respect  
 6           to the regulation of the activities and  
 7           operations of pest control services, including  
 8           pesticides used under ch. 487, F.S.; providing  
 9           an effective date.

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

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13           Section 1. Subsection (1) of section 482.242, Florida  
 14 Statutes, is amended to read:

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482.242 Preemption.--

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          (1) This chapter is intended as comprehensive and  
 17 exclusive regulation of pest control in this state. The  
 18 provisions of this chapter preempt to the state all regulation  
 19 of the activities and operations of pest control services,  
 20 including the pesticides used pursuant to labeling and  
 21 registration approved under chapter 487. No local government  
 22 or political subdivision of the state may enact or enforce an  
 23 ordinance that regulates pest control, except that the  
 24 preemption in this section does not prohibit a local  
 25 government or political subdivision from enacting an ordinance  
 26 regarding any of the following:

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          (a) Local occupational licenses adopted pursuant to  
 28 chapter 205.

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          (b) 1. Land development regulations adopted pursuant to  
 30 chapter 163 which include regulation of any aspect of  
 31 development, including a subdivision, building construction,

1 sign regulation or any other regulation concerning the  
2 development of land., ~~or~~  
3 2. Landscaping or tree protection ordinances which do  
4 not include pesticide application restrictions.  
5 3. Ordinances requiring annual inspections in, on, or  
6 under structures for termite activity or damage, including  
7 activity from Formosan termites.  
8 4. Ordinances requiring pest control treatment in, on,  
9 or under structures at which termite activity or damage is  
10 found.  
11 5. Ordinances requiring use of best available pest  
12 control treatment technology for control of termites  
13 consistent with this chapter and chapter 487.  
14 6. Ordinances authorizing local governments and  
15 political subdivisions to provide programs by which property  
16 owners, homeowners associations, cooperative associations, and  
17 condominium associations may contract with the local  
18 government or political subdivision to obtain termite  
19 inspection and treatment services provided by individuals who  
20 are licensed under this chapter or chapter 487.  
21 (c) Protection of wellhead protection areas and high  
22 recharge areas.  
23 (d) Hazardous materials reporting as set forth in part  
24 II of chapter 252, storage, and containment including as  
25 relating to stormwater management.  
26 (e) Hazardous material unlawful discharge and  
27 disposal.  
28 (f) Hazardous materials remediation.  
29 Section 2. This act shall take effect upon becoming a  
30 law.  
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HOUSE SUMMARY

Expands the types of ordinances a local government or political subdivision is authorized to enact under the exemption from preemption to the state of all regulation of the activities and operations of pest control services, including pesticides used under ch. 487, F.S.