

By the Committee on Agriculture & Consumer Affairs and  
Representative Heyman

1                                   A bill to be entitled  
2           An act relating to pest control; amending s.  
3           482.242, F.S.; providing additional exceptions  
4           to the state's preemption of pest control  
5           regulation; providing an effective date.

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

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

11           482.242 Preemption.--

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

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

25           (b) Land development regulations adopted pursuant to  
26 chapter 163 which include regulation of any aspect of  
27 development, including a subdivision, building construction,  
28 sign regulation or any other regulation concerning the  
29 development of land, or landscaping or tree protection  
30 ordinances which do not include pesticide application  
31 restrictions.

1           (c) Regulations that:  
2           1. Require, for multi-complex dwellings in excess of  
3 10 units, annual termite inspections for termite activity or  
4 damage, including Formosan termites, which must be performed  
5 by a person licensed under this chapter.  
6           2. Require pest control treatments of structures that  
7 have termite activity or damage which must be performed by a  
8 person licensed under this chapter.  
9           3. Require property owners or other persons to obtain  
10 inspections or pest control treatments performed by a person  
11 licensed under this chapter.  
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13 An ordinance by a local government or political subdivision  
14 which requires an annual inspection or pest control treatment  
15 must conform to current law.  
16           ~~(d)~~ Protection of wellhead protection areas and  
17 high recharge areas.  
18           ~~(e)~~ Hazardous materials reporting as set forth in  
19 part II of chapter 252, storage, and containment including as  
20 relating to stormwater management.  
21           ~~(f)~~ Hazardous material unlawful discharge and  
22 disposal.  
23           ~~(g)~~ Hazardous materials remediation.  
24           Section 2. This act shall take effect July 1, 2001.  
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