

1-1 By: Lucio S.B. No. 1113
 1-2 (In the Senate - Filed February 26, 2019; March 7, 2019,
 1-3 read first time and referred to Committee on Health & Human
 1-4 Services; March 27, 2019, reported favorably by the following
 1-5 vote: Yeas 9, Nays 0; March 27, 2019, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			

1-17 A BILL TO BE ENTITLED
 1-18 AN ACT

1-19 relating to a waiver authorizing the application of pesticides for
 1-20 mosquito control by certain municipal or county employees in an
 1-21 emergency.

1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-23 SECTION 1. Subchapter E, Chapter 76, Agriculture Code, is
 1-24 amended by adding Section 76.120 to read as follows:

1-25 Sec. 76.120. EMERGENCY MOSQUITO CONTROL BY CERTAIN
 1-26 MUNICIPAL OR COUNTY EMPLOYEES. (a) A municipal or county health
 1-27 department may apply for a waiver from the department authorizing
 1-28 the application of pesticides for mosquito control in the manner
 1-29 provided by this section if:

1-30 (1) the municipality or county is in a state of
 1-31 disaster as declared by the governor under Chapter 418, Government
 1-32 Code; or

1-33 (2) the municipal or county health department
 1-34 determines that immediate action is needed to control the threat of
 1-35 mosquito-borne disease.

1-36 (b) On application by a municipal or county health
 1-37 department, the department may grant a waiver authorizing
 1-38 unlicensed employees of the municipality or county to apply
 1-39 pesticides for mosquito control under the direct supervision of a
 1-40 licensed applicator employed by the municipality or county, a
 1-41 nearby political subdivision, this state, or the federal
 1-42 government.

1-43 (c) An unlicensed employee of the municipality or county may
 1-44 apply pesticides as authorized by a waiver if the unlicensed
 1-45 employee and the licensed applicator supervising the employee
 1-46 execute an affidavit promulgated by the department describing the
 1-47 supervision arrangement and return the affidavit to the department.

1-48 SECTION 2. This Act takes effect immediately if it receives
 1-49 a vote of two-thirds of all the members elected to each house, as
 1-50 provided by Section 39, Article III, Texas Constitution. If this
 1-51 Act does not receive the vote necessary for immediate effect, this
 1-52 Act takes effect September 1, 2019.

1-53 * * * * *