

**PESTICIDE USE AT SCHOOLS AND  
DAY CARE CENTERS**

**House Bill 5154**  
**Sponsor: Rep. Edward Gaffney**  
**Committee: Agriculture and Resource  
Management**

**Complete to 10-20-03**

**A SUMMARY OF HOUSE BILL 5154 AS INTRODUCED 10-9-03**

Under Part 83 (Pesticide Control) of the Natural Resources and Environmental Protection Act, school administrators are required to notify parents and guardians of children attending the school of their right to be informed prior to any application of a pesticide at the school.

The bill would delete the above provisions and specify that a school or day care center would be required to notify the parents or guardians of children attending the school or day care center that the parents or guardians would receive notice at least 48 hours prior to the application of a pesticide at the school or day care center. The school would provide the annual notice at the start of the school year, and the day care center would provide the annual notice at the start of the calendar year.

The annual notice would have to be in writing and specify the two methods by which the 48-hour notice would be given: (1) posting a notice in a public, common area, other than the entrance, of the school, and (2) electronic mail, first class U.S. mail, posting notice at the entrance of the school or day care center, or, for schools only, providing students with written notice to be delivered to their parents.

The 48-hour prior notice would have to include a statement that a pesticide will be applied, the date and location of the application, the scientific and trade names of the pesticide, and telephone information for the National Pesticide Telecommunications network and the state Department of Agriculture.

A person would be prohibited from applying a pesticide if children are present at the school or day care center, and a school or day care center would be required to prohibit children from entering an area, for the time specified on the label, where a pesticide has been applied.

The above provisions would not apply to a pesticide used as part of a agricultural vocational education program, the use of insect repellent, and the use of a pesticide if the registration (or a subsequent amendment to a registration) of the pesticide received an expedited review by the federal Environmental Protection Agency under the federal Insecticide, Fungicide, and Rodenticide Act.

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In addition, the bill would amend the definition of “school” in Part 83 to specifically exclude a home school, and would add a definition of “day care center” (as defined in the child care licensing act).

MCL 324.8303 et al.

Analyst: M. Wolf

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.