

HB 2532 -- PESTICIDE CERTIFICATION AND TRAINING

SPONSOR: Rone

This bill modifies provisions relating to pesticide certification and training. In its main provisions, the bill:

- (1) Repeals the ability of the Director of the Department of Agriculture to provide by regulation for the one-time emergency purchase and use of a restricted use pesticide by a private applicator;
- (2) Authorizes the director to, by regulation, classify licenses, including a license for noncertified restricted use pesticide (RUP) applicators;
- (3) Specifies that no individual may engage in the business of supervising the determination of the need for the use of any pesticide on the lands of another without a certified commercial applicator's license issued by the director;
- (4) Prohibits a certified commercial applicator from knowingly authorizing, directing, or instructing an individual to engage in determining the need for the use of any restricted pesticide on the land of another unless he or she is licensed as a noncertified RUP applicator while working under the direct supervision of a certified commercial applicator. The certified commercial applicator is liable for any use of a restricted use pesticide by an individual operating under the his or her supervision;
- (5) Prohibits a certified noncommercial applicator from knowingly authorizing, directing, or instructing an individual to engage in using any restricted use pesticide on lands or structures owned, leased, or rented by the certified noncommercial applicator or his or her employer unless such individual is licensed as a noncertified RUP applicator while working under the direct supervision of a certified noncommercial applicator. The certified noncommercial applicator is liable for any use of a restricted use pesticide by an individual operating under his or her direct supervision;
- (6) Prohibits a pesticide technician from using or determining the need for the use of any pesticide unless there is a certified commercial applicator, certified in categories as specified by regulation, working from the same physical location as the licensed pesticide technician;
- (7) Allows a pesticide technician to complete retraining requirements and renew the his or her license without a certified

commercial applicator working from the same physical location;

(8) Prohibits a certified private applicator from knowingly authorizing, directing, or instructing an individual to engage in using any restricted use pesticide on lands or structures owned, leased, or rented by the certified private applicator or his or her employer unless such individual is licensed as a certified private applicator;

(9) Requires private applicator to attend an approved program, complete an approved certification course, or pass a certification examination to qualify for a certified private applicator's license;

(10) Authorizes the University of Missouri extension to collect reasonable fees for training and study materials, for attendance of a certification training program, and for an online certification training program after certain requirements are met;

(11) Requires a certified private applicator holding a valid license to complete recertification training or pass the required private applicator certification examination in order to renew the license;

(12) Prohibits a certified public operator from knowingly authorizing, directing, or instructing an individual to engage in using any restricted use pesticide on lands or structures unless such individual is licensed as a noncertified RUP applicator while working under the direct supervision of a certified public operator. The certified public operator is liable for any use of a restricted used pesticide by an individual operating under his or her direct supervision;

(13) Authorizes a person who volunteers to work for a public agency to use general use pesticides without a license under the supervision of the public agency on lands owned or managed by the agency;

(14) Creates requirements for the application for a noncertified RUP applicator's license;

(15) Requires that a pesticide dealership location or outlet from which restricted use pesticides are distributed, sold, held for sale, or offered for sale at retail or wholesale have at least one individual licensed as a pesticide dealer;

(16) Prohibits an individual from being issued more than one pesticide dealer license and requires each mobile salesperson possessing restricted use pesticides for distribution or sale to be

licensed as a pesticide dealer;

(17) Requires each applicant for a pesticide dealer's license to pass a pesticide dealer examination;

(18) Requires licensed certified applicators, licensed noncertified restricted use pesticide applicators, licensed pesticide technicians, and licensed pesticide dealers to notify the Department within 10 days of any conviction of or plea to certain offenses;

(19) Authorizes that director to issue a pesticide applicator certification on a reciprocal basis with other states without examination to a nonresident who is licensed as a certified applicator in accordance with the reciprocating state's requirements and is a resident of the reciprocating state;

(20) Repeals the requirement that a nonresident applying for certain pesticide licenses to operate in Missouri must designate the Secretary of State as the agent of the nonresident upon whom process may be served unless the nonresident has designated a Missouri resident agent;

(21) Prohibits any person from using or supervising the use of pesticides that are cancelled or suspended; and

(22) Specifies that it is unlawful for any person not holding a valid certified applicator license in proper certification categories or a valid pesticide dealer license to purchase or acquire restricted use pesticides and that it is unlawful for any person to steal pesticide certification examinations or examination materials, cheat on pesticide certification examinations, evade completion of recertification or retraining requirements, or aid and abet any person in an attempt to steal examinations or examination materials, cheat on examinations, or evade recertification or retraining requirements.

The provisions of this bill will become effective July 1, 2021.