

PLEASE NOTE: In most BUT NOT ALL instances, the page and line numbering of bills on this web site correspond to the page and line numbering of the official printed version of the bills.

REFERENCE TITLE: state agency pesticide application; notice

State of Arizona  
House of Representatives  
Forty-fifth Legislature  
Second Regular Session  
2002

## **HB 2254**

Introduced by  
Representatives Clark, Chase, Lugo, Maiorana: Anderson, Binder, Foster,  
Lopez L, Marsh, Norris, Pearce, Poelstra, Sedillo, Weason

AN ACT

AMENDING TITLE 3, CHAPTER 2, ARTICLE 6, ARIZONA REVISED STATUTES, BY ADDING SECTION 3-365.01; RELATING TO PESTICIDE USE.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 3, chapter 2, article 6, Arizona Revised Statutes, is  
3 amended by adding section 3-365.01, to read:

4 3-365.01. State agency use of pesticides; notice; evaluation

5 A. A DEPARTMENT OR OTHER AGENCY OF THIS STATE, AND ANY EMPLOYEE OF  
6 THIS STATE ACTING IN THE EMPLOYEE'S OFFICIAL CAPACITY, THAT APPLIES PESTICIDE  
7 IN ANY PUBLIC AREA INCLUDING HIGHWAY RIGHTS-OF-WAY SHALL POST NOTICE OF THE  
8 APPLICATION AT LEAST TWENTY-FOUR HOURS BEFORE THE APPLICATION BEGINS IN A  
9 MANNER THAT WILL BE REASONABLY LEGIBLE TO THE PUBLIC IN THE ORDINARY COURSE  
10 OF THE PUBLIC'S USE OF THE AREA. THE NOTICE MUST REMAIN IN PLACE FOR  
11 TWENTY-FOUR HOURS AFTER THE APPLICATION OR FOR A TIME PRESCRIBED BY THE  
12 PESTICIDE LABEL, WHICHEVER IS LONGER.

13 B. DEPARTMENTS AND OTHER AGENCIES OF THIS STATE SHALL USE PESTICIDES  
14 IN A MANNER THAT PRODUCES THE LOWEST LEVEL OF TOXICITY IN THE ENVIRONMENT  
15 THAT IS REASONABLY PRACTICABLE. EACH AGENCY OF THIS STATE THAT ROUTINELY OR  
16 PERIODICALLY APPLIES PESTICIDES IN ITS ORDINARY OPERATION SHALL REVIEW, EVERY  
17 FIVE YEARS, THE TYPE AND QUANTITY OF PESTICIDE USED TO DETERMINE WHETHER  
18 USING A PESTICIDE REMAINS NECESSARY OR WHETHER A REDUCED QUANTITY OR A LESS  
19 TOXIC BRAND OR SUBSTANCE IS AVAILABLE TO REASONABLY ACCOMPLISH THE SAME  
20 PURPOSE.