

BILL ANALYSIS

H.B. 1070
By: Harris
Agriculture & Livestock
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Concerns have been raised regarding a longstanding interpretation of law that has permitted the use of unlicensed employees under direct supervision for certain landscape and horticultural pest control work. Arguments over that interpretation have called into question the use of such supervision. H.B. 1070 seeks to codify the interpretation permitting the existing practice and reinforce the status quo by exempting certain persons from the Texas Structural Pest Control Act, which governs licensing requirements for certain pest control professionals.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 1070 amends the Occupations Code to exempt from the provisions of the Texas Structural Pest Control Act, with certain exceptions, a person who performs pest control work on growing plants, trees, shrubs, grass, or other horticultural plants under the direct supervision of the holder of a commercial or noncommercial pesticide applicator license that is issued by the Department of Agriculture and that covers pest control work.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2021.