

- SUBJECT:** Defining a person in the business of structural pest control
- COMMITTEE:** Licensing and Administrative Procedures — favorable, without amendment
- VOTE:** 9 ayes — Hamilton, Quintanilla, Driver, Geren, Gutierrez, Harless, Kuempel, Menendez, Thompson
0 nays
- WITNESSES:** For — Michael Dickens, Texas Pest Control Association (TPCA); (*Registered, but did not testify:* Donald Ward, Texas Pest Control Association)
Against — None
- BACKGROUND:** Occupations Code sec. 1951.003 defines a person in the “business of structural pest control” as someone who identifies pest infestations or makes inspections of them, makes inspection reports on infestations, or makes contracts or submits bids on infestation-related services for compensation.

A person in the “business of structural pest control” may not operate without a structural pest control business license. A license holder is required to follow certain environmental, insurance, and advertising regulations and is subject to regular inspections.

Clerical employees or manual laborers who do not identify or inspect infestations, provide bids, or apply insecticides are not defined as being in the “business of structural pest control.”
- DIGEST:** HB 2742 would add persons who offered, advertised, or solicited the performance of pest control to the definition of a person in the “business of structural pest control.”

The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2011.

**SUPPORTERS
SAY:**

HB 2742 would reinstate language into the Occupations Code that was inadvertently left out during a recent Sunset review. Leaving out this provision allows certain unlicensed persons to go unregulated in the pest control industry. This prohibits the Department of Agriculture from citing these violators, unless they are caught in the act of performing pest control services. This leaves Texans vulnerable to untrained and potentially dangerous operators.

**OPPONENTS
SAY:**

No apparent opposition.