

## **BILL ANALYSIS**

Senate Research Center

S.B. 1590  
By: Haywood  
Natural Resources  
3-31-97  
As Filed

### **DIGEST**

Currently, certain laws relate to the use and distribution of a regulated herbicide and certain pesticides. Veterinarians who may find uses for pesticides in the daily operation of their practices are trained in toxicology, pharmacology, and animal physiology. This bill allows licensed veterinarians the opportunity to purchase and use certain pesticides in their practice without the mandatory applicator's license.

### **PURPOSE**

As proposed, S.B. 1590 allows licensed veterinarians the opportunity to purchase and use certain pesticides in their practice without the mandatory applicator's license.

### **RULEMAKING AUTHORITY**

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 76.071, Agriculture Code, by amending Subsection (a) and adding Subsection (d), to prohibit a person from distributing certain pesticides, including a regulated herbicide without a valid current pesticide dealer license issued by the Department of Agriculture (department). Provides that nothing in this subchapter is to be construed to prohibit a pesticide dealer from distributing a restricted-use or state-limited use pesticide or a regulated herbicide to a person licensed to practice veterinary medicine and using a restricted-use or state-limited-use pesticide or a regulated herbicide as a drug or medication during the course of the veterinarian's normal practice.

SECTION 2. Amends Section 76.105(a), Agriculture Code, to prohibit a person from purchasing or using a restricted-use or state-limited used pesticide unless the person meets certain requirements, including being licensed to practice veterinary medicine by the State Board of Veterinary Medical Examiners.

SECTION 3. Amends Chapter 76E, Agriculture Code, by adding Section 76.118, as follows:

Sec. 76.118. EXEMPTION FOR LICENSED VETERINARIANS. Provides that certain practicing veterinarians are not required to obtain a license under this chapter to purchase or use restricted-use or state-limited-use pesticides or a regulated herbicide, notwithstanding other provisions of this chapter.

SECTION 4. Effective date: September 1, 1997.

SECTION 5. Emergency clause.