

AMENDED IN ASSEMBLY AUGUST 18, 2014

AMENDED IN ASSEMBLY JUNE 12, 2014

AMENDED IN ASSEMBLY JUNE 4, 2014

AMENDED IN SENATE APRIL 21, 2014

AMENDED IN SENATE APRIL 9, 2014

SENATE BILL

No. 1405

**Introduced by Senator DeSaulnier
(Coauthor: Senator Lara)**

February 21, 2014

An act to amend Sections 17609, 17610, 17611, and 17612 of, and to add Sections 17611.5 and 17614 to, the Education Code, and to amend Sections 12996, 12999.4, 13181, 13182, 13183, and 13187 of, and to add Section 13186.5 to, the Food and Agricultural Code, relating to pesticides.

LEGISLATIVE COUNSEL'S DIGEST

SB 1405, as amended, DeSaulnier. Pesticides: schoolsites.

(1) Existing law, the Healthy Schools Act of 2000, requires each schoolsite to maintain records of all pesticide use at the schoolsite for a period of 4 years and to make these records available to the public upon request, as specified. Existing law authorizes a schoolsite to meet these requirements by retaining a copy of the warning sign posted for each pesticide application, as specified, and recording on the copy the amount of pesticide used. Existing law requires a schoolsite or school district to identify an individual, known as a school designee, to carry out the requirements of the act.

This bill, if a ~~school~~ *schoolsite* chooses to use certain pesticides, would require the school designee, at the end of each calendar year, or more often at his or her discretion, to submit to the Director of Pesticide Regulation a copy of the records, as specified, of all pesticide use at the schoolsite. The bill, if a schoolsite chooses to use certain pesticides, would require the school designee to develop and post on the Internet Web site of the schoolsite, *or, if the schoolsite does not maintain an Internet Web site, the school district*, an integrated pest management plan, *as defined*, for the schoolsite or school district, except if ~~the schoolsite does not maintain~~ *neither the schoolsite nor the school district maintains* an Internet Web site, the school designee would be required to include the integrated pest management plan with a certain annual notification sent to staff and parents or guardians of pupils enrolled at the schoolsite. The bill would authorize a school designee to do these things related to an integrated pest management plan if the schoolsite does not choose to use certain pesticides.

(2) Existing law requires the Department of Pesticide Regulation to promote and facilitate the voluntary adoption of integrated pest management programs for schoolsites that voluntarily choose to do so, excluding privately operated child day care facilities. For these schoolsites, existing law requires the department to establish an integrated pest management program for schoolsites. Existing law, in establishing the program, requires the department to develop criteria for identifying least-hazardous pest control practices and encourage their adoption as part of an integrated pest management program at each schoolsite and develop a model program guidebook, as specified, that prescribes essential program elements for schoolsites that have adopted a least-hazardous integrated pest management program. Existing law provides that a violation of the laws, and the regulations adopted pursuant to those laws, relating to pesticides is generally a misdemeanor.

This bill would require the Department of Pesticide Regulation to develop a training course to train any person who intends to apply pesticides on a schoolsite, and would require the training course to cover integrated pest management and the safe use of pesticides in relation to the unique nature of schoolsites and children's health. The bill would require the training course to be provided by the department or an agent authorized by the department. The bill would also require, commencing July 1, 2016, a school designee and any person applying a pesticide at a schoolsite subject to the act, to annually complete a training course provided by the department or an agent authorized by the department.

The bill would require the training *course* to include integrated pest management and the safe use of pesticides in relation to the unique nature of schoolsites and children’s health. *The bill would exclude the violation of the provisions requiring the completion of an annual training course from being a crime.*

(3) This bill would make conforming changes and various nonsubstantive changes.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 17609 of the Education Code is amended
2 to read:

3 17609. The definitions set forth in this section govern the
4 construction of this article unless the context clearly requires
5 otherwise:

6 (a) “Antimicrobial” means those pesticides defined by the
7 Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. Sec.
8 136(mm)).

9 (b) “Crack and crevice treatment” means the application of
10 small quantities of a pesticide consistent with labeling instructions
11 in a building into openings such as those commonly found at
12 expansion joints, between levels of construction, and between
13 equipment and floors.

14 (c) “Emergency conditions” means any circumstances in which
15 the school designee or a property owner of a property where a
16 privately operated child day care facility is located, or the property
17 owner’s agent, deems that the immediate use of a pesticide is
18 necessary to protect the health and safety of pupils, staff, or other
19 persons, or the schoolsite.

20 (d) “Integrated pest management plan” means a written plan
21 based on a template provided or approved by the Department of
22 Pesticide Regulation that outlines a strategy for integrated pest
23 management, as described in Section 13181 of the Food and
24 Agricultural Code.

25 (e) “School designee” or “IPM coordinator” means a ~~school~~
26 *schoolsite* or *school* district employee identified by a schoolsite
27 or school district to carry out the requirements of this article or to
28 ensure that the requirements of this article are carried out.

1 (f) “Schoolsite” means any facility used as a child day care
2 facility, as defined in Section 1596.750 of the Health and Safety
3 Code, or for kindergarten, elementary, or secondary school
4 purposes. The term includes the buildings or structures,
5 playgrounds, athletic fields, vehicles, or any other area of property
6 visited or used by pupils. “Schoolsite” does not include any
7 postsecondary educational facility attended by secondary pupils
8 or private kindergarten, elementary, or secondary school facilities.
9 For child day care facilities, the State Department of Social
10 Services shall serve as the liaison to these facilities, as needed.

11 SEC. 2. Section 17610 of the Education Code is amended to
12 read:

13 17610. (a) It is the policy of the state that effective least toxic
14 pest management practices should be the preferred method of
15 managing pests at schoolsites and that the state, in order to reduce
16 children’s exposure to toxic pesticides, shall take the necessary
17 steps, pursuant to Article 17 (commencing with Section 13180)
18 of Chapter 2 of Division 7 of the Food and Agricultural Code, to
19 facilitate the adoption of effective least toxic pest management
20 practices at schoolsites. It is the intent of the Legislature that all
21 school personnel involved in the application of a pesticide at a
22 schoolsite be trained in integrated pest management and the safe
23 use of pesticides in relation to the unique nature of schoolsites and
24 children’s health.

25 (b) (1) (A) A property owner of a property where a child day
26 care facility is located, or the property owner’s agent, who
27 personally applies any pesticides on an area listed in paragraph
28 (2) shall provide notice to the child day care facility as described
29 in paragraph (3) at least 120 hours before the application, unless
30 an emergency condition, as defined in Section 17609, exists.

31 (B) An owner of property on which a child day care facility is
32 located shall be subject to the requirement to provide notice
33 pursuant to this subdivision 30 days after it has received notice
34 from a child day care facility of its presence at the property, unless
35 the property owner, or his or her agent, received that notice
36 pursuant to paragraph (1) of subdivision (d) of Section 1597.40 of
37 the Health and Safety Code before the effective date of this
38 subdivision in which case the property owner shall be subject to
39 the notice requirements on and after the effective date of this
40 subdivision.

1 (2) This subdivision applies when a property owner or his or
2 her agent intends to personally apply pesticides on any of the
3 following:

4 (A) Inside the rented premises on which the child day care
5 facility is located.

6 (B) Upon a designated child day care facility playground
7 designated by the property owner.

8 (C) Upon an area designated for use by the child day care
9 facility.

10 (D) Upon an area within 10 feet of the perimeter of the child
11 day care facility.

12 (3) The notice required by paragraph (1) shall include the
13 following:

14 (A) The product name.

15 (B) The manufacturer's name.

16 (C) The active ingredients of each pesticide.

17 (D) The United States Environmental Protection Agency's
18 product registration number.

19 (E) The intended date of application.

20 (F) The areas of application listed in paragraph (2).

21 (G) The reason for application.

22 (4) A notice of pesticide application provided to a tenant
23 pursuant to subdivision (d) of Section 13186 of the Food and
24 Agricultural Code shall satisfy the notice requirements of this
25 section.

26 (5) If the child day care facility ceases to operate on the property,
27 the provisions of this act shall no longer apply to the property.

28 SEC. 3. Section 17611 of the Education Code is amended to
29 read:

30 17611. (a) Each schoolsite shall maintain records of all
31 pesticide use at the schoolsite for a period of four years, and shall
32 make this information available to the public, upon request,
33 pursuant to the California Public Records Act (Chapter 3.5
34 (commencing with Section 6250) of Division 7 of Title 1 of the
35 Government Code). A schoolsite may meet the requirements of
36 this section by retaining a copy of the warning sign posted for each
37 application required pursuant to Section 17612, and recording on
38 that copy the amount of the pesticide used.

39 (b) (1) If a schoolsite chooses to use a pesticide not included
40 within Section 17610.5, at the end of each calendar year, or more

1 often at the discretion of a school designee, the school designee
2 shall submit to the Director of Pesticide Regulation a copy of the
3 records of all pesticide use at the schoolsite for the calendar year.
4 The records submitted to the Director of Pesticide Regulation shall
5 be submitted using a form prepared by the Department of Pesticide
6 Regulation similar to that prepared pursuant to subdivision (b) of
7 Section 13186 of the Food and Agricultural Code, and shall include
8 all of the following:

9 (A) The name of a school designee for the schoolsite.

10 (B) The name and address of the schoolsite, or the department
11 code or licensed child day care facility number indicating if the
12 site is an elementary or secondary school facility, or a child day
13 care facility.

14 (C) The product name, manufacturer's name, the United States
15 Environmental Protection Agency's product registration ~~number~~
16 *number*, and the amount used, including the unit of measurement.

17 (D) The date, time, and location of application.

18 (2) The report submitted pursuant to paragraph (1) shall not
19 include pesticide use reported pursuant to subdivision (c) of Section
20 13186 of the Food and Agricultural Code.

21 SEC. 4. Section 17611.5 is added to the Education Code, to
22 read:

23 17611.5. (a) The school designee may develop and post on
24 the Internet Web site of the ~~schoolsite~~ *schoolsite*, or, if the
25 *schoolsite does not maintain an Internet Web site*, the school
26 *district*, an integrated pest management plan for the schoolsite or
27 the school district. ~~If the schoolsite does not maintain~~ *neither the*
28 *schoolsite nor the school district maintains* an Internet Web site,
29 the school designee may include the integrated pest management
30 plan with the annual notification sent to staff and parents or
31 guardians of pupils enrolled at the schoolsite pursuant to Section
32 17612. The integrated pest management plan shall include the
33 name of the school designee or IPM coordinator, include the
34 pesticides *expected to be* applied at the schoolsite by schoolsite or
35 *school* district employees and hired pest control applicators, and
36 include a date when the plan shall be reviewed and, if necessary,
37 updated.

38 (b) If a schoolsite chooses to use a pesticide not included within
39 Section 17610.5, the school designee shall post on the Internet
40 Web site of the ~~schoolsite~~ *schoolsite*, or, if the *schoolsite does not*

1 *maintain an Internet Web site, the school district, an integrated*
2 *pest management plan for the schoolsite or the school district. If*
3 ~~*the schoolsite does not maintain*~~ *neither the schoolsite nor the*
4 *school district maintains an Internet Web site, the school designee*
5 *shall include the integrated pest management plan with the annual*
6 *notification sent to staff and parents or guardians of pupils enrolled*
7 *at the schoolsite pursuant to Section 17612. The integrated pest*
8 *management plan shall include the name of the school designee*
9 *or IPM coordinator, include the pesticides applied at the schoolsite*
10 ~~*by school schoolsite or school*~~ *district employees and hired pest*
11 *control applicators, and include a date when the plan shall be*
12 *reviewed and, if necessary, updated.*

13 (c) Nothing in this section shall limit or otherwise change the
14 requirements of Section 17612.

15 SEC. 5. Section 17612 of the Education Code is amended to
16 read:

17 17612. (a) The school designee shall annually provide to all
18 staff and parents or guardians of pupils enrolled at a schoolsite a
19 written notification of the name of all pesticide products expected
20 to be applied at the schoolsite during the upcoming year. The
21 notification shall identify the active ingredient or ingredients in
22 each pesticide product. The notice shall also contain the Internet
23 address used to access information on pesticides and pesticide use
24 reduction developed by the Department of Pesticide Regulation
25 pursuant to Section 13184 of the Food and Agricultural Code Code,
26 *the Internet address where the schoolsite integrated pest*
27 *management plan may be found if the schoolsite has posted the*
28 *plan, and may contain other information deemed necessary by the*
29 ~~*school designee, and the Internet address where the schoolsite*~~
30 ~~*integrated pest management plan may be found if the school has*~~
31 ~~*posted the plan.*~~ *designee.* The notice shall also inform staff and
32 parents and guardians of pupils enrolled at a schoolsite that they
33 may view a copy of the integrated pest management plan in the
34 schoolsite office. No other written notification of pesticide
35 applications shall be required by this act except as follows:

36 (1) In the written notification provided pursuant to this
37 subdivision, the school designee shall provide the opportunity for
38 recipients to register with the schoolsite if they wish to receive
39 notification of individual pesticide applications at the schoolsite.
40 Persons who register for notification shall be notified of individual

1 pesticide applications at least 72 hours before the application. The
2 notice shall include the product name, the active ingredient or
3 ingredients in the product, and the intended date of application.

4 (2) If a pesticide product not included in the annual notification
5 is subsequently intended for use at the schoolsite, the school
6 designee shall, consistent with this subdivision and at least 72
7 hours before application, provide written notification of its intended
8 use.

9 (b) The school designee shall make every effort to meet the
10 requirements of this section in the least costly manner. Annual
11 notification by a school district to parents and guardians shall be
12 provided pursuant to Section 48980.3. Any other notification shall,
13 to the extent feasible and consistent with the act adding this article,
14 be included as part of any other written communication provided
15 to individual parents or guardians. This section shall not require
16 the school designee to issue the notice through first-class mail,
17 unless he or she determines that no other method is feasible.

18 (c) Pest control measures taken during an emergency condition
19 as defined in Section 17609 shall not be subject to the requirements
20 of paragraphs (1) and (2) of subdivision (a). However, the school
21 designee or property owner shall make every effort to provide the
22 required notification for an application of a pesticide under
23 emergency conditions.

24 (d) The school designee shall post each area of the schoolsite
25 where pesticides will be applied with a warning sign. The warning
26 sign shall prominently display the term “Warning/Pesticide Treated
27 Area” and shall include the product name, manufacturer’s name,
28 the United States Environmental Protection Agency’s product
29 registration number, intended date and areas of application, and
30 reason for the pesticide application. The warning sign shall be
31 visible to all persons entering the treated area and shall be posted
32 24 hours before the application and remain posted until 72 hours
33 after the application. In case of a pest control emergency, the
34 warning sign shall be posted immediately upon application and
35 shall remain posted until 72 hours after the application.

36 (e) Subdivisions (a) and (d) shall not apply to schools operated
37 by the Division of Juvenile Justice. The school administrator of a
38 school operated by the Division of Juvenile Justice shall notify the
39 chief medical officer of that facility at least 72 hours before the

1 application of pesticides. The chief medical officer shall take any
2 steps necessary to protect the health of pupils in that facility.

3 (f) This section and Section 17611 shall not apply to activities
4 undertaken at a school by participants in the state program of
5 agricultural vocational education, pursuant to Article 7
6 (commencing with Section 52450) of Chapter 9 of Part 28 of
7 Division 4 of Title 2, if the activities are necessary to meet the
8 curriculum requirements prescribed in Section 52454. This
9 subdivision does not relieve schools participating in the state
10 program of agricultural vocational education of any duties pursuant
11 to this section for activities that are not directly related to the
12 curriculum requirements of Section 52454.

13 (g) Sections 17610 to 17614, inclusive, shall not apply to family
14 day care homes or property owners of family day care homes, as
15 defined in Section 1596.78 of the Health and Safety Code, or their
16 agents who personally apply any pesticides.

17 (h) If pesticide is applied by a property owner or his or her agent,
18 or by a pest control operator, failure to provide notice pursuant to
19 subdivision (b) of Section 17610 or subdivision (d) of Section
20 13186 of the Food and Agricultural Code shall relieve a privately
21 operated child day care facility from the requirements of this
22 section.

23 SEC. 6. Section 17614 is added to the Education Code, to read:

24 17614. Commencing July 1, 2016, the school designee and
25 any person, including, but not necessarily limited to, a pest control
26 applicator or schoolsite or *school* district employee, who, in the
27 course of his or her work intends to apply a pesticide at a schoolsite
28 subject to this article, shall annually complete a training course
29 provided by the Department of Pesticide Regulation or an agent
30 authorized by the Department of Pesticide Regulation. The training
31 course shall include integrated pest management and the safe use
32 of pesticides in relation to the unique nature of schoolsites and
33 children's health.

34 SEC. 7. Section 12996 of the Food and Agricultural Code is
35 amended to read:

36 12996. (a) Every person who violates any provision of this
37 division relating to pesticides, or any regulation issued pursuant
38 to a provision of this division relating to pesticides, is guilty of a
39 misdemeanor and upon conviction shall be punished by a fine of
40 not less than five hundred dollars (\$500) nor more than five

1 thousand dollars (\$5,000), or by imprisonment of not more than
2 six months, or by both the fine and imprisonment. Upon a second
3 or subsequent conviction of the same provision of this division
4 relating to pesticides, a person shall be punished by a fine of not
5 less than one thousand dollars (\$1,000) nor more than ten thousand
6 dollars (\$10,000), or by imprisonment of not more than six months
7 or by both the fine and imprisonment. Each violation constitutes
8 a separate offense.

9 (b) Notwithstanding the penalties prescribed in subdivision (a),
10 if the offense involves an intentional or negligent violation that
11 created or reasonably could have created a hazard to human health
12 or the environment, the convicted person shall be punished by
13 imprisonment in a county jail not exceeding one year or in the
14 state prison or by a fine of not less than five thousand dollars
15 (\$5,000) nor more than fifty thousand dollars (\$50,000), or by both
16 the fine and imprisonment.

17 (c) This section does not apply to violations of Chapter 7.5
18 (commencing with Section 15300) or Section 13186.5.

19 SEC. 8. Section 12999.4 of the Food and Agricultural Code is
20 amended to read:

21 12999.4. (a) In lieu of civil prosecution by the director, the
22 director may levy a civil penalty against a person violating Sections
23 12115, 12116, 12671, 12992, 12993, Chapter 10 (commencing
24 with Section 12400) of Division 6, Article 4.5 (commencing with
25 Section 12841), Section 13186.5, Chapter 7.5 (commencing with
26 Section 15300), or the regulations adopted pursuant to those
27 provisions, of not more than five thousand dollars (\$5,000) for
28 each violation.

29 (b) Before a civil penalty is levied, the person charged with the
30 violation shall be given a written notice of the proposed action,
31 including the nature of the violation and the amount of the proposed
32 penalty, and shall have the right to request a hearing within 20
33 days after receiving notice of the proposed action. A notice of the
34 proposed action that is sent by certified mail to the last known
35 address of the person charged shall be considered received even
36 if delivery is refused or the notice is not accepted at that address.
37 If a hearing is requested, notice of the time and place of the hearing
38 shall be given at least 10 days before the date set for the hearing.
39 Before the hearing, the person shall be given an opportunity to
40 review the director's evidence. At the hearing, the person shall be

1 given the opportunity to present evidence on his or her own behalf.
2 If a hearing is not timely requested, the director may take the action
3 proposed without a hearing.

4 (c) If the person against whom the director levied a civil penalty
5 requested and appeared at a hearing, the person may seek review
6 of the director’s decision within 30 days of the date of the decision
7 pursuant to Section 1094.5 of the Code of Civil Procedure.

8 (d) After the exhaustion of the review procedure provided in
9 this section, the director, or his or her representative, may file a
10 certified copy of a final decision of the director that directs the
11 payment of a civil penalty and, if applicable, any order that denies
12 a petition for a writ of administrative mandamus, with the clerk
13 of the superior court of any county. Judgment shall be entered
14 immediately by the clerk in conformity with the decision or order.
15 No fees shall be charged by the clerk of the superior court for the
16 performance of any official service required in connection with
17 the entry of judgment pursuant to this section.

18 (e) Any money recovered under this section shall be paid into
19 the Department of Pesticide Regulation Fund for use by the
20 department, upon appropriation, in administering this division and
21 Division 6 (commencing with Section 11401).

22 SEC. 9. Section 13181 of the Food and Agricultural Code is
23 amended to read:

24 13181. (a) Notwithstanding any other law, for purposes of this
25 article, “integrated pest management” means a pest management
26 strategy that focuses on long-term prevention or suppression of
27 pest problems through a combination of techniques such as
28 monitoring for pest presence and establishing treatment threshold
29 levels, using nonchemical practices to make the habitat less
30 conducive to pest development, improving sanitation, and
31 employing mechanical and physical controls. Pesticides that pose
32 the least possible hazard and are effective in a manner that
33 minimizes risks to people, property, and the environment, are used
34 only after careful monitoring indicates they are needed according
35 to preestablished guidelines and treatment thresholds. This
36 definition shall apply only to integrated pest management at school
37 facilities and child day care facilities.

38 (b) For purposes of this article “IPM coordinator” has the same
39 meaning as school designee or IPM coordinator, as those terms

1 are defined in subdivision (e) of Section 17609 of the Education
2 Code.

3 SEC. 10. Section 13182 of the Food and Agricultural Code is
4 amended to read:

5 13182. It is the policy of the state that effective least toxic pest
6 management practices should be the preferred method of managing
7 pests at schoolsites and that the state, in order to reduce children’s
8 exposure to toxic pesticides, shall take the necessary steps, pursuant
9 to this article, to facilitate the adoption of effective least toxic pest
10 management practices at schoolsites. It is the intent of the
11 Legislature that all school personnel involved in the application
12 of ~~pesticide~~ *pesticides* at a schoolsite be trained in integrated pest
13 management and the safe use of pesticides in relation to the unique
14 nature of schoolsites and children’s health.

15 SEC. 11. Section 13183 of the Food and Agricultural Code is
16 amended to read:

17 13183. (a) The department shall promote and facilitate the
18 voluntary adoption of integrated pest management programs for
19 schoolsites, excluding privately operated child day care facilities,
20 as defined in Section 1596.750 of the Health and Safety Code, that
21 voluntarily choose to do so. For these schoolsites, the department
22 shall do all of the following:

23 (1) Establish an integrated pest management program for
24 schoolsites consistent with Section 13181. In establishing the
25 program, the department shall:

26 (A) Develop criteria for identifying least-hazardous pest control
27 practices and encourage their adoption as part of an integrated pest
28 management program at each schoolsite.

29 (B) Develop a model program guidebook that prescribes
30 essential program elements for schoolsites that have adopted a
31 least-hazardous integrated pest management program. At a
32 minimum, this guidebook shall include guidance on all of the
33 following:

- 34 (i) Adopting an IPM policy.
- 35 (ii) Selecting and training an IPM coordinator.
- 36 (iii) Identifying and monitoring pest populations and damage.
- 37 (iv) Establishing a community-based school district advisory
38 committee.
- 39 (v) Developing a pest management plan for making
40 least-hazardous pest control choices.

- 1 (vi) Contracting for integrated pest management services.
- 2 (vii) Training and licensing opportunities.
- 3 (viii) Establishing a community-based right-to-know standard
- 4 for notification and posting of pesticide applications.
- 5 (ix) Recordkeeping and program review.

6 (C) Develop a template for an integrated pest management plan
7 to be used by schoolsites or school districts. The template shall
8 outline a strategy for integrated pest management as described in
9 ~~Section 13180~~ 13181.

10 (2) Make the model program guidebook available to schoolsites
11 and establish a process for systematically updating the guidebook
12 and supporting documentation.

13 (b) The department shall promote and facilitate the voluntary
14 adoption of integrated pest management programs at child day
15 care facilities, as defined in Section 1596.750 of the Health and
16 Safety Code, through the following:

17 (1) Modifying the department's existing integrated pest
18 management program for schoolsites as described in subdivision
19 (a) of Section 13183 for the child day care setting.

20 (2) Creating or modifying existing educational and informational
21 materials on integrated pest management for the child day care
22 setting.

23 (3) Making the materials available to child day care facilities
24 and establishing a process for systematically updating them.

25 (c) The department shall develop a training course to train any
26 person who intends to apply pesticides on a schoolsite. The training
27 course shall cover integrated pest management and the safe use of
28 pesticides in relation to the unique nature of schoolsites and
29 children's health. The training course shall be provided by the
30 department or an agent authorized by the department.

31 SEC. 12. Section 13186.5 is added to the Food and Agricultural
32 Code, to read:

33 13186.5. Commencing July 1, 2016, a school designee, as
34 defined in Section 17609 of the Education Code, and any person
35 applying a pesticide at a schoolsite subject to this article shall
36 annually complete a training course provided by the department
37 or an agent authorized by the department. The training *course* shall
38 include integrated pest management and the safe use of pesticides
39 in relation to the unique nature of schoolsites and children's health.

1 SEC. 13. Section 13187 of the Food and Agricultural Code is
2 amended to read:
3 13187. Sections 13186 and 13186.5 shall not apply to any
4 agency signatory to a cooperative agreement with the State
5 Department of Public Health pursuant to Section 116180 of the
6 Health and Safety Code.

O