

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Agriculture Committee

BILL: SPB 7028

INTRODUCER: For consideration by the Agriculture Committee

SUBJECT: Department of Agriculture and Consumer Services

DATE: January 18, 2010

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	_____ Poole	_____ Poole	_____	Pre-meeting
2.	_____	_____	_____	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

I. Summary:

This proposed bill requires the Department of Agriculture and Consumer Services (department) and representatives of the state pest control industry to prepare a report for the President of the Senate, the Speaker of the House of Representatives, and the chairpersons of the Senate Committee on Agriculture, and the House Committee on Agribusiness by January 1, 2011. The report must include recommended changes pertaining to disciplinary action against licensees of the pest control industry. The report may also address additional issues of concern to the department and members of the industry. The proposed bill would take effect upon becoming a law.

This bill creates an unnumbered provision in Florida law.

II. Present Situation:

The department regulates pest control businesses. Section 482.163, F.S., establishes that the proper performance of pest control activities by pest control business employees is the responsibility not only of the employee but also of the certified operator in charge. A licensee may not automatically be considered responsible for violations of an employee. However, the licensee may not knowingly encourage, aid, or abet violations of the chapter.

III. Effect of Proposed Changes:

This proposed bill requires the Department of Agriculture and Consumer Services (department) and representatives of the state pest control industry to prepare a report for the President of the Senate, the Speaker of the House of Representatives, and the chairpersons of the Senate

Committee on Agriculture, and the House Committee on Agribusiness by January 1, 2011. The report must include recommended changes to chapter 482, F.S., pertaining to disciplinary action against licensees who violate laws or rules pertaining to the pretreatment of soil to protect newly constructed homes, pest control at sensitive facilities such as schools and nursing homes, and also the fumigation of existing homes for protection against termite damage. The report may also address additional issues of concern to the department and members of the industry.

Other Potential Implications: None.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Additional Information:

- A. **Committee Substitute – Statement of Substantial Changes:**
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

- B. **Amendments:**

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.
