

House Bill 4109

Sponsored by Representatives HOLVEY, HERNANDEZ, Senator MONNES ANDERSON, Representatives ALONSO LEON, PRUSAK, SALINAS, WILDE, Senators DEMBROW, FREDERICK, MANNING JR, PROZANSKI, STEINER HAYWARD; Representatives GREENLICK, HELM, KENY-GUYER, LIVELY, MARSH, MEEK, NERON, NOSSE, POWER, SANCHEZ, SCHOUTEN, Senators BURDICK, GELSER, GOLDEN, RILEY, ROBLAN, TAYLOR, WAGNER (at the request of Pineros y Campesinos Unidos del Noroeste) (Presession filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Prohibits aerial pesticide applicator from spraying or otherwise applying by aircraft pesticide product containing chlorpyrifos.

Prohibits person from applying pesticide product containing chlorpyrifos within 300 feet of campus of school.

Requires person that employs worker to take steps to ensure that worker does not enter into area in which pesticide product containing chlorpyrifos was applied within eight preceding calendar days.

Effective January 1, 2022, prohibits sale, purchase or use of pesticide product containing chlorpyrifos.

Requires State Department of Agriculture to revoke, on January 1, 2022, pesticide registrations for pesticide products containing chlorpyrifos.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to prevention of health impacts from exposure to chlorpyrifos; and declaring an emergency.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. Sections 2 to 11 of this 2020 Act are added to and made a part of ORS**
5 **chapter 634.**

6 **SECTION 2. The purpose of this 2020 Act is to prevent health impacts from chlorpyrifos,**
7 **which is known to be harmful to human health, by reducing exposure to this pesticide.**

8 **SECTION 3. (1) As used in this section, "aerial pesticide applicator" means an individual**
9 **engaging in activities that require a certificate under ORS 634.128.**

10 **(2) An aerial pesticide applicator may not spray or otherwise apply by aircraft a pesticide**
11 **product containing chlorpyrifos.**

12 **SECTION 4. (1) As used in this section, "campus" and "school" have the meanings given**
13 **those terms in ORS 634.700.**

14 **(2) A person may not apply a pesticide product containing chlorpyrifos within 300 feet of**
15 **the campus of a school.**

16 **SECTION 5. A person that employs a worker shall take steps to ensure that the worker**
17 **does not enter into an area in which a pesticide product containing chlorpyrifos was applied**
18 **within eight preceding calendar days.**

19 **SECTION 6. Notwithstanding ORS 634.900 (1), a violation of sections 3 to 5 of this 2020**
20 **Act constitutes a violation subject to imposition of civil penalties under ORS 634.900 to**
21 **634.915.**

22 **SECTION 7. Sections 3 to 6 of this 2020 Act are repealed on January 2, 2023.**

23 **SECTION 8. (1) A person may not sell, purchase or use a pesticide product containing**

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 **chlorpyrifos.**

2 **(2) Notwithstanding ORS 634.900 (1), a violation of this section constitutes a violation**
3 **subject to imposition of civil penalties under ORS 634.900 to 634.915.**

4 **SECTION 9. Section 8 of this 2020 Act becomes operative on January 1, 2022.**

5 **SECTION 10. On January 1, 2022, the State Department of Agriculture shall immediately**
6 **revoke any registration issued under ORS 634.016 prior to January 1, 2022, for a pesticide**
7 **product containing chlorpyrifos.**

8 **SECTION 11. Section 10 of this 2020 Act is repealed on January 2, 2023.**

9 **SECTION 12. This 2020 Act being necessary for the immediate preservation of the public**
10 **peace, health and safety, an emergency is declared to exist, and this 2020 Act takes effect**
11 **on its passage.**

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