

# Senate File 2027 - Introduced

SENATE FILE \_\_\_\_\_  
BY BOLKCOM \_\_\_\_\_

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

## A BILL FOR

1 An Act relating to the certification of persons applying  
2 restricted use pesticides, and making penalties applicable.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
4 TLSB 5110XS 82  
5 da/nh/14

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1 1 Section 1. Section 206.5, subsection 3, paragraph c, Code  
1 2 2007, is amended by striking the paragraph.  
1 3 Sec. 2. Section 206.5, subsection 4, Code 2007, is amended  
1 4 by striking the subsection.

1 5 EXPLANATION

1 6 This bill amends provisions in Code chapter 206, the  
1 7 "Pesticide Act of Iowa", by eliminating two exceptions that  
1 8 allow a person to apply a restricted use pesticide for 21 days  
1 9 without complying with certain certification requirements.

1 10 Code section 206.20 requires the department of agriculture  
1 11 and land stewardship to classify certain pesticides as having  
1 12 "restricted use". Code section 206.5 in part provides that a  
1 13 person who applies a restricted use pesticide must be  
1 14 certified by the department as a commercial, public, or  
1 15 private applicator. Depending upon how a person is  
1 16 classified, in order to be certified as a commercial, public,  
1 17 or private applicator, a person is required to pay a fee and  
1 18 pass an examination or attend continuing instructional  
1 19 courses. Code section 206.5 provides two exceptions for  
1 20 persons applying a restricted use pesticide for 21 days. For  
1 21 a 21-day period: (1) a person is not required to be certified  
1 22 as a commercial, public, or private applicator so long as they  
1 23 are under the direct supervision of a certified applicator;  
1 24 and (2) a person who would otherwise be required to be  
1 25 certified as a commercial applicator may only have to meet the  
1 26 requirements of a private applicator so long as they apply a  
1 27 restricted use pesticide to agricultural land.

1 28 Generally a person who violates a provision of Code chapter  
1 29 206 may be assessed a civil penalty of not more than \$500 for  
1 30 each offense (Code section 206.19) and is guilty of a serious  
1 31 misdemeanor (Code section 206.22). A serious misdemeanor is  
1 32 punishable by confinement for no more than one year and a fine  
1 33 of at least \$315 but not more than \$1,875.

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