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February 12, 2024

By: Alvord

An Act relating to pesticides; amending 2 O.S. 2021, Section 3-82, as amended by Section 11, Chapter 72, O.S.L. 2023 (2 O.S. Supp. 2023, Section 3-82), which relates to applicator licenses; modifying elements of aerial license; making language gender neutral; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 2 O.S. 2021, Section 3-82, as amended by Section 11, Chapter 72, O.S.L. 2023 (2 O.S. Supp. 2023, Section 3-82), is amended to read as follows:

Section 3-82. A. It shall be unlawful for any person to act, operate, or do business or advertise as a commercial, noncommercial, certified applicator, temporary certified applicator, service technician, or private applicator unless the person has obtained a valid applicator's license issued by the State Board of Agriculture for the category of pesticide application in which the person is engaged, unless the person is applying to ~~their~~ his or her own property.

B. A license may be issued by the Board in any category of pesticide application if the applicant qualifies and the applicant

1 is limited to the category of pesticide application named on the
2 license. The Board may establish categories of pesticide
3 application as necessary. Licenses shall be issued upon application
4 to the Board on a form prescribed by the Board. The application
5 shall contain information regarding the applicant's qualifications,
6 proposed operations, and other information as specified by the
7 Board.

8 C. 1. An aerial license shall not be issued or be valid unless
9 the applicant files with the Board a copy of a valid document issued
10 by the Federal Aviation Administration showing that the person is
11 qualified to operate or supervise the operation of an aircraft
12 ~~conducting agricultural operations~~ and a copy of any other
13 applicable certification as required by the Federal Aviation
14 Administration for pesticide application. Applicants for an aerial
15 license and pilots working under a license may be subject to a
16 complete and thorough background examination.

17 2. The Board shall promulgate rules regarding aerial
18 applicators and applications consistent with federal law and shall
19 solicit the assistance of the Federal Aviation Administration in the
20 enforcement of this subsection.

21 D. Each business location shall require a separate license and
22 separate certified applicator except that a certified applicator for
23 a noncommercial business location may also serve as the certified
24 applicator for one commercial business location.

1 E. A license shall not be issued for the category of pesticide
2 application of any applicant or representative who has a temporary
3 certification.

4 SECTION 2. This act shall become effective November 1, 2024.

5 COMMITTEE REPORT BY: COMMITTEE ON AGRICULTURE AND RURAL AFFAIRS
6 February 12, 2024 - DO PASS
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