

2025 -- H 5216

LC000778

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2025

A N A C T

RELATING TO HEALTH AND SAFETY -- PESTICIDE CONTROL

Introduced By: Representative Lauren H. Carson

Date Introduced: January 29, 2025

Referred To: House Education

It is enacted by the General Assembly as follows:

1 SECTION 1. Sections 23-25-37 and 23-25-38 of the General Laws in Chapter 23-25
2 entitled "Pesticide Control" are hereby amended to read as follows:

3 ~~23-25-37. Pesticide applications and notification of pesticide applications at schools~~
4 **Pesticide and rodenticide applications and notification of pesticide and rodenticide**
5 **applications at schools.**

6 (a) The department of environmental management and the department of health shall
7 develop regulations as follows: (1) to restrict the use of hazardous pesticides and rodenticides in
8 schools, pre-schools and child care centers in Rhode Island including a prohibition on the use of
9 any pesticide or rodenticide containing the herbicide glyphosate; (2) for the promotion and
10 implementation of integrated pest management (IPM) as defined in § 23-25.2-2; (3) to cover
11 situations where an emergency application of pesticide or rodenticide must be conducted to
12 eliminate an immediate threat to human health, and establish reporting requirements for these
13 emergency applications. The regulations developed pursuant to the provisions of this section shall
14 be adopted and implemented no later than January 1, 2026.

15 (b)(1) On and after July 1, 2001, no person other than a licensed or certified commercial
16 applicator as defined in § 23-25-4, shall apply pesticide or rodenticide within any building or on
17 the grounds of any school. This section shall not apply in the case of an emergency application of
18 pesticide or rodenticide to eliminate an immediate threat to human health, where it is impractical
19 to obtain the services of any such applicator; provided the emergency application does not involve

1 a restricted use or state limited use pesticide or rodenticide. For purposes of this section,
2 “emergency” means a sudden need to mitigate or eliminate a pest which threatens the health or
3 safety of a student or staff member. Provided, further, effective January 1, 2026, this section shall
4 not apply to any regional vocational agriculture center.

5 (2) On or after July 1, 2026, no person shall apply a lawn care pesticide or rodenticide on
6 the grounds of any public or private preschool or public or private school including, but not limited
7 to, any day care, charter school or vocational school with students in grade twelve (12) or lower;
8 provided, however, that:

9 (i) An application of a lawn care pesticide or rodenticide may be made at a public or private
10 school as provided in subsection (b)(2) of this section with students grade twelve (12) or lower on
11 the playing fields and playgrounds of such school pursuant to an integrated pest management plan,
12 which plan:

13 (A) Shall be consistent with the model pest control management plan developed by the
14 department of environmental management and the department of health; and

15 (B) May be developed by a local district or regional school board (hereinafter "school
16 board") with approval from the department of environmental management and department of
17 health;

18 (ii) An emergency application of a lawn care pesticide or rodenticide may be made to
19 eliminate a threat to human health as defined in subsection (b)(1) of this section.

20 (c)(1) On and after July 1, 2002, at the beginning of each school year, each local school
21 ~~authority~~ and private school administration shall provide the staff of each school and the parents or
22 guardians of each child enrolled in each school with a written statement of the ~~committee's~~ school
23 board's policy on pesticide or rodenticide application on school property and a description of any
24 pesticide or rodenticide applications made at the school during the previous school year.

25 (2) The statement and description shall be provided to the parents or guardians of any child
26 who transfers to a school during the school year. The statement shall: (i) indicate that the staff,
27 parents, or guardians may register for prior notice of pesticide or rodenticide applications at the
28 school; and (ii) describe the emergency notification procedures provided for in this section. Notice
29 of any modification to the pesticide or rodenticide application policy shall be sent to any person
30 who registers for notice under this section.

31 (3) Effective on and after July 1, 2026, local school administrators shall, at the beginning
32 of each school year, make available as part of the requirements of this section, an integrated pest
33 management plan to parents, teachers and school staff with a copy to the department of education.

34 (d) On and after July 1, 2002, parents or guardians of children in any school and school

1 staff may register for prior notice of pesticide [or rodenticide](#) application at their school. Each school
2 shall maintain a registry of persons requesting the notice. Prior to providing for any application of
3 pesticide [or rodenticide](#) within any building or on the grounds of any school, the local school
4 ~~authority~~ [administration](#) shall provide for the distribution of notice to parents and guardians who
5 have registered for prior notice under this section, such that the notice is received no later than
6 twenty-four (24) hours prior to the application. Notice shall be given by any means practicable to
7 school staff who have registered for the notice. Notice under this subsection shall include: (1) the
8 common or trade name and the name of the active ingredient; (2) the EPA registration number as
9 listed on the pesticide [or rodenticide](#) label; (3) the target pest; (4) the exact location of the
10 application on the school property; (5) the date of the application; ~~and~~ (6) the name of the school
11 administrator, or a designee, who may be contacted for further information; and (7) the above
12 information shall be sent to the department of education.

13 (e) On and after July 1, 2003, no application of pesticide [or rodenticide](#) may be made in
14 any building or on the grounds of any school during regular school hours or during planned
15 activities at any school. No child shall enter an area where the application has been made until it is
16 safe to do so according to the provisions on the pesticide [or rodenticide](#) label. This section shall not
17 apply to the use of germicides, disinfectants, sanitizers, deodorizers, antimicrobial agents,
18 insecticidal gels, non-volatile insect or rodent bait in a tamper resistant container, insect repellants
19 or the application of a pesticide [or rodenticide](#) classified by the United States Environmental
20 Protection Agency as an exempt material under 40 CFR 152.25.

21 (f) On and after July 1, 2002, ~~a~~ the local school ~~authority~~ [administration](#) may make an
22 emergency application of pesticide [or rodenticide](#) without prior notice under this section in the
23 event of an immediate threat to human health, provided the ~~board~~ [administration](#) provides for
24 notice, by any means practicable, on or before the day that the application is to take place, to any
25 person who has requested prior notice under this section.

26 (g) On and after July 1, 2002, notice of any pesticide [or rodenticide](#) application at a school
27 shall be given, by any means practicable, to the parents or guardians of any child enrolled at the
28 school and to the staff of the school not later than one week after the application. The notice shall
29 include: (1) the common or trade name and the name of the active ingredient; (2) the EPA
30 registration number as listed on the pesticide [or rodenticide](#) label; (3) the target pest; (4) the exact
31 location of the application on the school property; (5) the date of the application; and (6) the name
32 of the school administrator, or a designee, who may be contacted for further information. A copy
33 of the record of each pesticide [or rodenticide](#) application at a school shall be maintained at the
34 school for a period of five (5) years.

1 (h) Not later than July 1, 2002, the department of environmental management and the
2 department of health shall jointly establish a task force which shall specifically address methods to
3 promote public education and professional training about pesticides and rodenticides, their
4 potential health effects and IPM least toxic alternatives, and for evaluation and analysis of current
5 pest control practices at school and child care facilities. The task force shall complete a report on
6 its findings no later than December 31, 2026 and shall submit a report to the governor, speaker of
7 the house and president of the senate detailing those findings.

8 (i) Storage of pesticide and rodenticide containers prior to disposal. Effective July 1, 2026,
9 all unused or unwanted pesticides or rodenticides being stored prior to disposal, whether in sealed
10 or previously opened containers, and all pesticide or rodenticide containers that have not been or
11 cannot be rinsed shall be:

12 (1) Kept in a secure enclosure; and

13 (2) Maintained so as to prevent:

14 (i) Deterioration of containers;

15 (ii) Unauthorized use;

16 (iii) Mishandling;

17 (iv) Loss;

18 (v) Contamination of the environment; and

19 (vi) Risk to the public health.

20 (j) Commencing January 1, 2027, the department of education shall provide to each school
21 district, school board of each school district, superintendent of each school district, and any day
22 care center under the supervision of the department of education with an explanation and the
23 requirements of the pesticide or rodenticide application and notification law.

24 (k) On or after January 1, 2026, every school that has pesticide or rodenticide applications
25 shall submit to the department of education a pesticide or rodenticide application report that shall
26 include the following:

27 (1) A description of the pesticide or rodenticide applied to the grounds and the dates and
28 times of the application;

29 (2) The name and title of the person applying the pesticides or rodenticides and whether
30 the person is in compliance with subsection (b) of this section requiring a licensed or certified
31 applicator to apply the pesticides or rodenticides;

32 (3) Any emergency applications of pesticides or rodenticides during the previous year; and

33 (4) Copies of any notice to parents issued pursuant to this section regarding pesticide or
34 rodenticide application.

1 ~~23-25-38. Pesticide applications and notification of pesticide applications at pre-~~
2 ~~schools and child care centers~~ **Pesticide and rodenticide applications and notification of**
3 **pesticide and rodenticide applications at pre-schools and child care centers.**

4 (a)(1) On and after July 1, 2003, no application of pesticide or rodenticide may be made by
5 any person other than a certified or licensed commercial applicator as defined in § 23-25-4 in any
6 building or on the grounds of any pre-school, child day care center, group/family day care home or
7 family day care home, during regular business hours. No child enrolled at such center or home may
8 enter an area where pesticides or rodenticides have been applied until it is safe to do so according
9 to the provisions on the pesticide or rodenticide label. For purposes of this section, emergency shall
10 mean a sudden need to mitigate or eliminate a pest which threatens the health or safety of a student
11 or staff member. This section shall not apply to the use of germicides, disinfectants, sanitizers,
12 deodorizers, antimicrobial agents, insecticidal gels, non-volatile insect or rodent bait in a tamper
13 resistant container, insect repellants, insecticidal disks, or the application of a pesticide or
14 rodenticide classified by the United States Environmental Protection Agency as an exempt material
15 under 40 CFR part 152.25.

16 (2) On and after July 1, 2026, no person shall apply a lawn care pesticide or rodenticide on
17 the grounds of any pre-school or child day care center; provided, however, that;

18 (i) An application of a lawn care pesticide or rodenticide may be made at a pre-school or
19 child day care center on the playing fields or playgrounds of such school pursuant to an integrated
20 pest management plan, which plan shall be consistent with the model pest control management plan
21 developed by the department of environmental management and the department of health; and

22 (ii) An emergency application of a lawn care pesticide or rodenticide may be made to
23 eliminate a threat to human health as defined in § 23-25-37.

24 (b) On and after July 1, 2002, notice of any pesticide or rodenticide application at any such
25 center or home shall be given, by any means practicable, to the parents or guardians of any child
26 enrolled at the center or home not later than twenty-four (24) hours before the application. The
27 notice shall include: (1) the common or trade name and the name of the active ingredient; (2) the
28 EPA registration number as listed on the pesticide or rodenticide label; (3) the target pest; (4) the
29 exact location of the application on the property; (5) the date of the application; and (6) the name
30 of the pre-school or child care center owner/operator or their designee.

31 (c) The department of health shall provide any public or private pre-school and child day
32 care center with an explanation and the requirements of the pesticide or rodenticide application and
33 notification law.

34 (d) On or after July 1, 2026, every pre-school and child day care center that has pesticide

1 [and rodenticide applications shall submit to the department of education a copy of the notices that](#)
2 [were sent to parents and guardians.](#)

3 SECTION 2. Chapter 16-21 of the General Laws entitled "Health and Safety of Pupils" is
4 hereby amended by adding thereto the following section:

5 **16-21-43. PFAS in artificial athletic fields - Task force.**

6 [Not later than July 1, 2026, the department of environmental management and the](#)
7 [department of health shall jointly establish a task force which shall specifically investigate, identify](#)
8 [and address the presence of and potential health risk associated with the presence of poly-](#)
9 [fluoroalkyl substances \(PFAS\) in artificial fields at private and public schools in Rhode Island. The](#)
10 [task force shall report its findings no later than January 1, 2028, to the governor, speaker of the](#)
11 [house and president of the senate.](#)

12 SECTION 3. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO HEALTH AND SAFETY -- PESTICIDE CONTROL

1 This act would prohibit the application of lawn care pesticides or rodenticides on the
2 grounds of any public or private pre-school or public or private school with students in grade twelve
3 (12) or lower, except in an emergency situation or to be used on the playing fields and playgrounds
4 of the school as well as pre-schools and child care centers pursuant to an integrated pest
5 management plan as developed by the department of environmental management and the
6 department of health and would create a task force to study health risks of PFAS in athletic fields
7 to students who use them.

8 This act would also require a school department to provide a copy of the pesticide or
9 rodenticide application notice sent to parents and guardians to the department of education.

10 This act would take effect upon passage.

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