

Requested by Representative NERON

**PROPOSED AMENDMENTS TO
HOUSE BILL 2409**

1 On page 1 of the printed bill, delete lines 6 through 21 and insert:

2 **“SECTION 2. (1) As used in this section, ‘pesticide’ has the meaning**
3 **given that term in ORS 634.006.**

4 **“(2) A homeowners association must provide, upon an owner’s re-**
5 **quest, notice to the owner of:**

6 **“(a) The dates and times that the association plans to apply a pes-**
7 **ticide to the owner’s property; and**

8 **“(b) The means by which the owner may exclude the owner’s prop-**
9 **erty from the application of the pesticide under subsection (3) of this**
10 **section.**

11 **“(3) An association may not require an owner to apply a pesticide**
12 **and shall allow any owner to exclude the owner’s property from the**
13 **landscaping activities of the association that include application of a**
14 **pesticide, except to the extent a pesticide or other pest management**
15 **practice is necessary to manage or prevent a pest issue that could**
16 **harm ecological or public health.**

17 **“(4) An owner’s exclusion from the application of a pesticide under**
18 **subsection (3) of this section is an assumption of the landscaping re-**
19 **sponsibility by the owner, and the association may enforce against the**
20 **responsible owner reasonable standards for landscaping that allow for**
21 **consistent appearances within the community.**

1 **“(5) A provision in a governing document inconsistent with this**
2 **section is against the policy of this state to support public health,**
3 **safety and welfare and is void and unenforceable.”.**

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