

B-Engrossed House Bill 2684

Ordered by the Senate May 30
Including House Amendments dated March 27 and Senate Amendments
dated May 30

Sponsored by Representative HUDSON, Senator GORSEK; Representatives FRAGALA, GAMBA, NERON, NOSSE,
Senator GELSER BLOUIN (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. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: This Act changes laws for school IPM plans. (Flesch Readability Score: 100.0).

Requires that a school integrated pest management plan be reviewed at least once every five years. *[and made available to the public on a website. Provides that a low-impact pesticide list shall be included in an integrated pest management plan.]* **Requires that the school integrated pest management plan and the list of low-impact pesticides be made available to the public on a website.**

A BILL FOR AN ACT

Relating to integrated pest management; creating new provisions; and amending ORS 634.700 and 634.705.

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

SECTION 1. ORS 634.705 is amended to read:

634.705. (1)(a) The governing body responsible for a school shall adopt an integrated pest management plan for use on the campuses of the school. The governing body shall also adopt provisions for:

[(a)] (A) Designating an integrated pest management plan coordinator;

[(b)] (B) Identifying plan coordinator responsibilities;

[(c)] (C) Giving notices under ORS 634.740;

[(d)] (D) Retaining pesticide application records under ORS 634.750;

[(e)] (E) Providing a process for responding to inquiries and complaints about noncompliance with the integrated pest management plan; and

[(f)] (F) Conducting outreach to the school community about the school's integrated pest management plan.

(b) Not less than once every five years, the governing body shall review the integrated pest management plan, make any necessary updates and readopt the integrated pest management plan. A final integrated pest management plan must include the day, month and year that the governing body adopted or readopted the plan.

(c) A governing body shall make the integrated pest management plan available to the public through the governing body's website. A governing body may satisfy this paragraph by including the integrated pest management plan with the Healthy and Safe Schools Plan, adopted under ORS 332.331, posted on the governing body's website.

(2) If a governing body has control over only part of a building, a structure or property where

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 a campus is located, the governing body may limit an integrated pest management plan to those
 2 parts of the building, structure or property over which the governing body exerts substantial con-
 3 trol.

4 (3) A governing body is not required to adopt an integrated pest management plan for off-campus
 5 buildings, structures or property, notwithstanding any incidental use for instruction.

6 (4) Unless a governing body expressly provides otherwise, the application of a germicide,
 7 disinfectant, sanitizer, deodorizer, antimicrobial agent or insecticidal soap at a campus is not subject
 8 to the requirements for a pesticide application under an integrated pest management plan. However,
 9 this subsection does not permit the application at a campus of a germicide, disinfectant, sanitizer,
 10 deodorizer, antimicrobial agent or insecticidal soap that is a pesticide in a manner that is incon-
 11 sistent with the goal of the integrated pest management plan.

12 (5)(a) A governing body shall adopt a list of low-impact pesticides for use with the integrated
 13 pest management plan.

14 **(b) A governing body shall make the list of low-impact pesticides available to the public**
 15 **through the governing body's website. A governing body may satisfy this paragraph by in-**
 16 **cluding the list of low-impact pesticides with the Healthy and Safe Schools Plan, adopted**
 17 **under ORS 332.331, posted on the governing body's website.**

18 (c) The [governing body] list of low-impact pesticides may include any product [on the list]
 19 except products that:

20 [(a)] (A) Contain a pesticide product or active ingredient that has the signal words "warning"
 21 or "danger" on the label;

22 [(b)] (B) Contain a pesticide product classified as a human carcinogen or probable human
 23 carcinogen under the United States Environmental Protection Agency 1986 Guidelines for
 24 Carcinogen Risk Assessment; or

25 [(c)] (C) Contain a pesticide product classified as carcinogenic to humans or likely to be
 26 carcinogenic to humans under the United States Environmental Protection Agency 2003 Draft Final
 27 Guidelines for Carcinogen Risk Assessment.

28 **SECTION 2. For integrated pest management plans adopted before the effective date of**
 29 **this 2025 Act, a governing body shall review, update and readopt the integrated pest man-**
 30 **agement plan, as required by ORS 634.705 (1)(b), no later than January 1, 2027, or five years**
 31 **from the date of the most recent approval of the plan, whichever is later.**

32 **SECTION 3.** ORS 634.700 is amended to read:

33 634.700. As used in ORS 634.700 to 634.750:

34 (1) "Campus" means the buildings, other structures, playgrounds, athletic fields, **school gardens**
 35 and parking lots of a school and any other areas on the school property that are accessed by stu-
 36 dents on a regular basis.

37 (2) "Governing body" means a board of directors, agency or other body or person having
 38 policymaking and general oversight responsibility for a community college district, education service
 39 district, school district, other unit of education governance, private school or other educational en-
 40 tity.

41 (3) "Integrated pest management plan" means a proactive strategy that:

42 (a) Focuses on the long-term prevention or suppression of pest problems through economically
 43 sound measures that:

44 (A) Protect the health and safety of students, staff and faculty;

45 (B) Protect the integrity of campus buildings and grounds;

(C) Maintain a productive learning environment; and

(D) Protect local ecosystem health;

(b) Focuses on the prevention of pest problems by working to reduce or eliminate conditions of property construction, operation and maintenance that promote or allow for the establishment, feeding, breeding and proliferation of pest populations or other conditions that are conducive to pests or that create harborage for pests;

(c) Incorporates the use of sanitation, structural remediation or habitat manipulation or of mechanical, biological and chemical pest control measures that present a reduced risk or have a low impact and, for the purpose of mitigating a declared pest emergency, the application of pesticides that are not low-impact pesticides;

(d) Includes regular monitoring and inspections to detect pests, pest damage and unsanctioned pesticide usage;

(e) Evaluates the need for pest control by identifying acceptable pest population density levels;

(f) Monitors and evaluates the effectiveness of pest control measures;

(g) Excludes the application of pesticides on a routine schedule for purely preventive purposes, other than applications of pesticides designed to attract or be consumed by pests;

(h) Excludes the application of pesticides for purely aesthetic purposes;

(i) Includes school staff education about sanitation, monitoring and inspection and about pest control measures;

(j) Gives preference to the use of nonchemical pest control measures;

(k) Allows the use of low-impact pesticides if nonchemical pest control measures are ineffective; and

(L) Allows the application of a pesticide that is not a low-impact pesticide only to mitigate a declared pest emergency or if the application is by, or at the direction or order of, a public health official.

(4) "Low-impact pesticide" means a product that does not contain a pesticide product or active ingredient described in ORS 634.705 (5).

(5) "Pest" means:

(a) An insect or other arthropod;

(b) A weed, moss, slime or mildew or a plant disease caused by a fungus, bacterium or virus;

(c) A nematode, snail, slug, rodent or predatory animal;

(d) A bacterium, spore, virus, fungus or other microorganism that is harmful to human health; or

(e) Other forms of plant or animal life that may infest or be detrimental to vegetation, humans, animals, structures, managed landscapes or other human environments.

(6) "Pest emergency" means an urgent need to eliminate or mitigate a pest situation that threatens:

(a) The health or safety of students, staff, faculty members or members of the public using the campus; or

(b) The structural integrity of campus facilities.

(7) "Registration number" means the pesticide registration number assigned by the United States Environmental Protection Agency.

(8) "School" means:

(a) A federal Head Start program or a provider under the Oregon Prenatal to Kindergarten Program;

- 1 (b) A public or private educational institution offering education in all or part of kindergarten
 - 2 through grade 12;
 - 3 (c) An education service district as defined in ORS 334.003;
 - 4 (d) A community college as defined in ORS 341.005, for the community college's own buildings
 - 5 and ground maintenance;
 - 6 (e) The Oregon School for the Deaf; and
 - 7 (f) A regional residential academy operated by the Oregon Youth Authority.
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