
A BILL FOR AN ACT

RELATING TO PRIVATE CHILD DAY CARE CENTERS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Chapter 302C, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§302C- Private child day care centers; pesticides.

5 (a) No private child day care center shall permit any child
6 enrolled in its day care center to enter an area where a
7 pesticide has been applied until it is safe to do so.

8 (b) Beginning on the effective date of this Act, no later
9 than twenty-four hours prior to the application of any pesticide
10 on the grounds of any private child day care center, the private
11 child day care center shall notify the parents or guardians of
12 each child enrolled in the day care center by any means
13 practicable within the existing budgetary resources of the day
14 care center; provided that for an emergency application, the
15 notice shall be given as soon as practicable. Notice under this
16 subsection shall include:



1 (1) The name of the active ingredient of the pesticide
2 being applied;

3 (2) The target pest;

4 (3) The location of the application on the day care center
5 property; and

6 (4) The date or proposed date of the application.

7 A copy of the record of each pesticide application
8 performed at a day care center shall be maintained at the day
9 care center for a period of five years.

10 (c) No person, other than a pest control operator licensed
11 under chapter 460J, may apply pesticide within any building or
12 on the grounds of any private child day care center.

13 (d) This section shall not apply in the case of an
14 emergency application of pesticide to eliminate an immediate
15 threat to human health where it is impractical to obtain the
16 services of a licensed pest control operator; provided the
17 emergency application does not involve a restricted use
18 pesticide, as defined in section 149A-2."

19 SECTION 2. This Act does not affect rights and duties that
20 matured, penalties that were incurred, and proceedings that were
21 begun before its effective date.



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1 SECTION 3. New statutory material is underscored.

2 SECTION 4. This Act shall take effect upon its approval.

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INTRODUCED BY:

Cindy Evans

Cher T. Hill

Cher

Bill Kolypski

Richard Lopez

Nicole E. Jones

John A. O'Connell

Michelle A. Ruffini

De

Liz DeCosto

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H.B. NO. 1271

Report Title:

Private Child Day Care Center; Pesticides

Description:

Enacts safeguards regarding the use of pesticides at private child day care centers.

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