

[First Reprint]

SENATE, No. 1143

STATE OF NEW JERSEY
215th LEGISLATURE

INTRODUCED JANUARY 23, 2012

Sponsored by:

Senator SHIRLEY K. TURNER

District 15 (Hunterdon and Mercer)

Senator ROBERT M. GORDON

District 38 (Bergen and Passaic)

Co-Sponsored by:

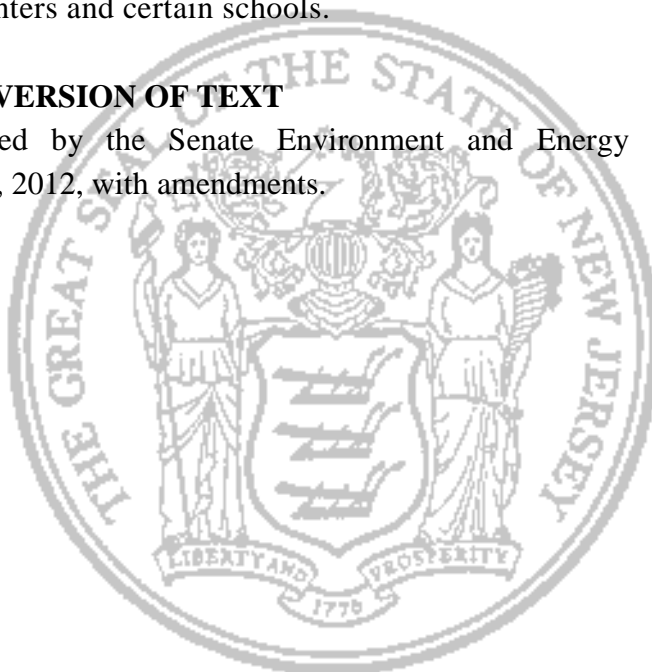
Senators Beach, Cunningham, Allen, Bateman, Greenstein, T.Kean, Pennacchio, Vitale, Codey, Sarlo, Beck, Madden, Rice, Buono, Lesniak, O'Toole, Whelan, Gill, Singer, Stack, Holzapfel, Pou, Sacco, Scutari and Weinberg

SYNOPSIS

The "Safe Playing Fields Act"; restricts use of lawn care pesticides at child care centers and certain schools.

CURRENT VERSION OF TEXT

As reported by the Senate Environment and Energy Committee on December 17, 2012, with amendments.



(Sponsorship Updated As Of: 5/31/2013)

1 AN ACT concerning the use of lawn care pesticides at child care
2 centers and certain schools, ¹**[playgrounds and recreational**
3 **fields,]**¹ and supplementing Title 13 of the Revised Statutes.

4
5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:

7
8 1. This act shall be known and may be cited as the “Safe
9 Playing Fields Act.”

10

11 2. As used in this act:

12 "Charter school" means a school established pursuant to
13 P.L.1995, c.426 (C.18A:36A-1 et seq.).

14 "Child care center" means a child care center licensed pursuant
15 to the provisions of the “Child Care Center Licensing Act,”
16 P.L.1983, c.492 (C.30:5B-1 et seq.).

17 ¹**["Community association"** means a condominium association, a
18 homeowners' association, a cooperative association, or any other
19 entity created to administer or manage the common elements and
20 facilities of a real property development that, directly or through an
21 authorized agent, enters into a contract for improvement of the real
22 property.]¹

23 "Lawn care pesticide" means any pesticide labeled, designed or
24 intended for use on lawns, gardens, turf or ornamental plants.

25 "Low impact pesticide" means a low impact pesticide as defined
26 pursuant to section 3 of P.L.2002, c.117 (C.13:1F-21).

27 "Pesticide" means a pesticide as defined pursuant to section 3 of
28 P.L.2002, c.117 (C.13:1F-21) but shall not include a "low impact
29 pesticide."

30 "Playground" means a playground as defined pursuant to section
31 1 of P.L.1999, c.50 (C.52:27D-123.9).

32 "Recreational field" means an athletic playing field.

33 "School" means any public school or private school as defined in
34 N.J.S.18A:1-1.

35

36 3. a. No lawn care pesticide shall be applied on the grounds of
37 any child care center, including a playground or recreational field
38 located at the child care center, except that a lawn care pesticide
39 may be applied as an emergency response to eliminate an
40 immediate threat to human health. Such emergency shall be
41 determined by the chief executive or owner, as appropriate, of the
42 child care center.

43 b. No child enrolled at a child care center shall be permitted
44 access to a pesticide treated area for at least seven hours after the
45 application.

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Senate SEN committee amendments adopted December 17, 2012.

1 c. No later than one year after the effective date of this act, the
2 Commissioner of Environmental Protection, in consultation with the
3 Commissioner of Health ¹**【and Senior Services】**¹, shall adopt rules
4 and regulations in accordance with the “Administrative Procedure
5 Act,” P.L.1968, c.410 (C.52:14B-1 et seq.), concerning pesticide
6 application, record keeping, and staff and parental notification
7 procedures at child care centers consistent with the goal of
8 mitigating potential health risks to young children by reducing or
9 eliminating the use of pesticides, and by first considering the use of
10 low impact pesticides.

11

12 4. No lawn care pesticide shall be applied on the grounds of
13 any school, including a playground or recreational field located at
14 the school, which enrolls students in kindergarten or in any grade
15 between grade one through eight, except that a lawn care pesticide
16 may be applied as an emergency response to eliminate an
17 immediate threat to human health. Such emergency shall be
18 determined by the superintendent of the school district, the board of
19 trustees of a charter school, or the principal or chief administrator
20 of a private school, as applicable, in consultation with the local
21 health officer, as appropriate.

22

23 ¹**【5.** No lawn care pesticide shall be applied on a playground,
24 except that a lawn care pesticide may be applied as an emergency
25 response to eliminate an immediate threat to human health. Such
26 emergency shall be determined by the municipal or county
27 governing body in consultation with the local health officer, as
28 appropriate, or by the Commissioner of Environmental Protection,
29 as applicable.

30 This section shall not apply to any playground on the grounds of
31 a community association.**】**¹

32

33 ¹**【6.】** 5.¹ This act shall take effect on the first day of the 13th
34 month following the date of enactment.