

Texas Senate
Natural Resources Committee

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MBJ
ID# 17464
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September 21, 1992

The Honorable Dan Morales
Attorney General of Texas
P. O. Box 12548
Austin, Texas 78711

Opinion Committee

Dear Mr. Morales:

Prior to the 1991 legislative session, the Texas Structural Pest Control Act included an explicit exemption for "an officer or employee of a governmental or educational agency who performs pest control services as part of his duties of employment." That exemption has been removed.

Please give me your opinion as to whether or not the remaining exemptions in the act allow the application of certain pesticides by a city or governmental employee without the licensure of the employee as a non-commercial applicator. Please consider Section 5(b) and Section 11 of the act as well as others that you may find applicable.

A brief analysis prepared for me is enclosed for your reference. Please let me know if I can assist you in any way.

Sincerely yours,

Bill Sims
Bill Sims

BS/jm

Enclosure

To: The Honorable Cyndi Taylor Krier