

SENATE, No. 410

STATE OF NEW JERSEY 219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Senator SHIRLEY K. TURNER

District 15 (Hunterdon and Mercer)

Senator TROY SINGLETON

District 7 (Burlington)

SYNOPSIS

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

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



(Sponsorship Updated As Of: 7/6/2020)

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

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

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

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

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

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

24 "Playground" means a playground as defined pursuant to section
25 1 of P.L.1999, c.50 (C.52:27D-123.9).

26 "Recreational field" means an athletic playing field.

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

29

30 3. a. No lawn care pesticide shall be applied on the grounds of
31 any child care center, including a playground or recreational field
32 located at the child care center, except that a lawn care pesticide
33 may be applied as an emergency response to eliminate an
34 immediate threat to human health. Such emergency shall be
35 determined by the chief executive or owner, as appropriate, of the
36 child care center.

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

40 c. No later than one year after the effective date of this act, the
41 Commissioner of Environmental Protection, in consultation with the
42 Commissioner of Health, shall adopt rules and regulations in
43 accordance with the “Administrative Procedure Act,” P.L.1968,
44 c.410 (C.52:14B-1 et seq.), concerning pesticide application, record
45 keeping, and staff and parental notification procedures at child care
46 centers consistent with the goal of mitigating potential health risks
47 to young children by reducing or eliminating the use of pesticides,
48 and by first considering the use of low impact pesticides.

1 4. No lawn care pesticide shall be applied on the grounds of
2 any school, including a playground or recreational field located at
3 the school, which enrolls students in kindergarten or in any grade
4 between grade one through eight, except that a lawn care pesticide
5 may be applied as an emergency response to eliminate an
6 immediate threat to human health. Such emergency shall be
7 determined by the superintendent of the school district, the board of
8 trustees of a charter school, or the principal or chief administrator
9 of a private school, as applicable, in consultation with the local
10 health officer, as appropriate.

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12 5. This act shall take effect on the first day of the 13th month
13 following the date of enactment.

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STATEMENT

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18 This bill would be known as the “Safe Playing Fields Act,” and
19 would restrict the use of lawn care pesticides on the grounds of any
20 child care center and certain schools.

21 The bill would prohibit the use of lawn care pesticides on the
22 grounds of any child care center, except as an emergency response
23 to an immediate threat to human health, and would restrict child
24 access to pesticide treated areas for at least seven hours after the
25 application.

26 In addition, the bill would prohibit the use of lawn care
27 pesticides on the grounds of any school which enrolls students in
28 kindergarten or in any grade between grade one through eight,
29 except as an emergency response to an immediate threat to human
30 health, as determined by school officials, in consultation with the
31 local health officer, as appropriate.

32 The bill would direct the Commissioner of Environmental
33 Protection, in consultation with the Commissioner of Health, to
34 adopt rules and regulations concerning pesticide application, record
35 keeping, and staff and parental notification procedures at child care
36 centers with the goal of mitigating potential health risks to young
37 children.

38 The bill defines a “lawn care pesticide” as any pesticide labeled,
39 designed, or intended for use on lawns, gardens, turf or ornamental
40 plantings, and the definition of “pesticide” excludes low impact
41 pesticides as defined pursuant to current law.

42 The bill would take effect on the first day of the 13th month
43 following the date of enactment of the bill into law.