



ARIZONA STATE SENATE
Fifty-Fifth Legislature, Second Regular Session

AMENDED
FACT SHEET FOR S.B. 1147

Harquahala non-expansion area; groundwater transportation.
(NOW: certified applicators; fingerprinting requirement)

Purpose

Allows an applicant for applicator or qualified applicator certification to submit a current fingerprint clearance card to meet certification requirements. Requires, until July 1, 2023, the approval or denial of a certification application within 120 days of receipt.

Background

Pest management: 1) is the management of health-related pests, aquatic pests, household pests, wood-destroying organisms or other pests, including weeds, that exist in, near or around structures, in ornamental shrubs and trees, along rights-of-way or in lawns or cemeteries and all pesticide applications that could be harmful to public health or the environment; 2) includes the management by persons for hire of health-related pests, aquatic pests, household pests, wood-destroying organisms or other pests, including weeds, that exist on golf courses; and 3) does not include pesticide applications used directly in the commercial production of crops and animals or used not for hire on golf courses.

Statute allows an individual to apply for certification as an applicator or qualified applicator in: 1) industrial, institutional, structural and health-related pest management; 2) wood-destroying organism management; 3) ornamental and turf pest management; 4) right-of-way pest management; 5) aquatic pest management; 6) fumigation; and 7) other categories or subcategories established by rule. An individual who applies for certification as a new applicator or a new qualified applicator must submit a full set of fingerprints and fees to the Pest Management Division (Division) of the Arizona Department of Agriculture (AZDA). The Director of the AZDA must submit the fingerprints and fees to the Department of Public Safety for a state and federal criminal records check (A.R.S. §§ [3-3601](#) and [3-3614](#)).

An individual may provide pest management services on behalf of a business licensee without certification if the individual: 1) has been registered as an applicator of the business licensee for 90 calendar days or less; and 2) is supervised by a certified applicator in the category for which supervision is provided ([A.A.C. R3-8-201](#)). A violation of engaging in the business of pest management, commencing work on a contract or signing, issuing or delivering a document expressing an opinion or statement relating to pest management without a license with reckless disregard for the health and safety of other persons or properties is a class 6 felony ([A.R.S. § 3-3624](#)).

There is no anticipated fiscal impact to the state General Fund associated with this legislation.

Provisions

1. Allows an individual who applies for certification as a new applicator or a new qualified applicator to meet statutory fingerprint check requirements by submitting, as a part of the individual's application to the AZDA:
 - a) a current, unexpired fingerprint clearance card; or
 - b) a current, unexpired level one fingerprint clearance card.
2. Requires, until July 1, 2023, the Division to approve or deny an application for certification as a new applicator within 120 days after the application is received.
3. Becomes effective on signature of the Governor, if the emergency clause is enacted.

Amendments Adopted by Committee

- Adopted the strike-everything amendment.

Senate Action

NREW 2/9/22 DPA/SE 9-0-0

Prepared by Senate Research
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RC/slp