



**Assemblymember Damon Connolly, 12<sup>th</sup> District**  
**AB 1864 – STRENGTHENING PESTICIDE REGULATIONS NEAR SCHOOLS**  
 FACT SHEET

**BACKGROUND**

The Department of Pesticide Regulation (DPR) has established basic protections from pesticide drift for children at public schools and daycares, and has stated their commitment to ensuring that the rule is working as intended to protect children from pesticide harm. This regulation is particularly important in rural California counties, where students most exposed to agricultural pesticides are disproportionately Latinx. Given DPR’s commitment to this regulation and the high stakes for low-income communities of color across the state, we ask them to undertake an urgent review of the regulation and take steps to amend the reporting requirements.

**ISSUE**

DPR has confirmed the following barriers to effective enforcement in the current regulation:

- Most application methods that are restricted under the schools regulation are not identifiable under current Pesticide Use Reporting (PUR) requirements;
- While current requirements for Notices of Intent (NOIs) (required before using pesticides that are classified as “restricted materials”) do include “method of application”, in many cases the requirements are not specific enough to identify the methods restricted under the schools regulation;
- In fields that cross the “buffer zone” (where part of the field is inside ¼ mile distance restriction and part of the field is outside), the exact location of applications cannot be verified under current reporting requirements;
- Exact start and end times of applications are oftentimes inaccurately reported;
- Children who attend private schools are not included in the regulation’s protections.

**EXISTING LAW**

Current law regulates the use of pesticides within a quarter-mile of public schools and daycares from 6am to 6pm, Monday to Friday. The regulation restricts the most drift-prone application methods rather than specific pesticides or classes of pesticides. Therefore, enforcement depends on the ability to identify:

- i) the application method;
- ii) the start and end time of the application; and
- iii) the distance of the application from the school site. Pesticide use reporting data is submitted to DPR but because of reporting inconsistencies, it is extremely challenging for County Agricultural Commissioner (CAC) staff to confirm with certainty whether or not a particular application was conducted in compliance with the law. As a result, children are not sufficiently protected from pesticide exposure while in school, despite the existing regulation’s intention to provide that protection.

**THIS BILL**

In order to ensure that children are not being exposed to pesticides while in school, this bill would:

- Require CACs to require a Notice of Intent for all applications that are within a quarter mile of school sites and that would use an application method restricted by the schools regulation;
- Change permitting and/or reporting requirements to require growers to demarcate fields that cross the buffer zone and report separately on the portions within a quarter mile of school sites;
- Change pesticide use reporting requirements so that the reported application method aligns with the schools regulation;
- Amend guidance for Enforcement Branch Liaisons to include evaluation of CAC enforcement of the schools regulation when conducting CAC performance evaluations;
- Expand the regulation to include private K-12 schools.

**FOR MORE INFORMATION**

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