**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 10‑1‑220 SO AS TO REQUIRE THE DEPARTMENT OF ADMINISTRATION TO POST VISUAL NOTIFICATION MARKERS AT LEAST FORTY‑EIGHT HOURS PRIOR TO THE OUTDOOR APPLICATION OF CHEMICALS ON PUBLIC PROPERTY AND TO REQUIRE THE OWNER OF A PUBLIC BUILDING TO POST A VISUAL NOTIFICATION MARKER AT EVERY ENTRANCE INTO THE BUILDING THAT INFORMS A PERSON ENTERING THE BUILDING OF ANY CHEMICALS USED WITHIN THE BUILDING.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Chapter 1, Title 10 of the 1976 Code is amended by adding:

“Section 10‑1‑220. (A) For purposes of this section, the term ‘chemical’ means a pesticide, fungicide, herbicide, rodenticide, or toxic cleaning solution.

(B) The Department of Administration or the owner of public property, as applicable, must post visual notification markers along the perimeter of an outdoor area of public property owned by the State, county, or school district where chemicals are to be applied at least forty eight hours prior to the application.

(1) The notification marker must:

(a) be at least four inches by five inches in size;

(b) contain text in contrasting colors to the background in letters at least three eighths of an inch in height;

(c) be posted no less than twelve inches above the ground;

(d) be placed not more than fifty feet apart along the perimeter; and

(e) include:

(i) the phrase ‘CHEMICAL APPLICATION,’ ‘CHEMICAL TREATMENT,’ or ‘CHEMICAL APPLIED;’

(ii) the date and time of the chemical application; and

(iii) potential health hazards due to exposure to the chemical applied to the area.

(C)(1) The owner of a public building must post a small visual notification marker in a conspicuous area adjacent to each entrance into the building that informs a person entering the building of the chemicals used within the building.

(2) The notification marker must:

(a) be at least four inches by five inches in size;

(b) contain text in contrasting colors to the background in letters at least three eighths of an inch in height; and

(c) list the product name of chemicals used, the concentration of chemical used in each application, and the purpose of the chemical.

(D) The notification provisions of this section do not apply to the:

(1) use of an aerosol product with a directed spray, not including foggers or aerosol products which discharge to a wide area, in containers of eighteen fluid ounces or less, when used to protect individuals from an imminent threat from stinging or biting insects such as venomous spiders, bees, wasps and hornets;

(2) use of nonvolatile insect or rodent bait in a tamper resistant container; and

(3) spot application of a pesticide, where a spot application means the application of pesticides in a manually pressurized or nonpressurized container of thirty‑two ounces or less to an area of ground less than nine square feet.”

SECTION 2. This act takes effect upon approval by the Governor.

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