

Amendment No. 1 to SB0073

Johnson
Signature of Sponsor

AMEND Senate Bill No. 73*

House Bill No. 63

by deleting Section 1 and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 62-21-119, is amended by deleting the section in its entirety and substituting instead the following:

(a)

(1) If the commissioner has reason to believe that any person has violated this chapter, including its rules, or has used economic poison in violation of the Tennessee Insecticide, Fungicide, and Rodenticide Act, compiled in title 43, chapter 8, parts 1 and 2, including its rules, the commissioner may:

(A) Deny, revoke, suspend, or modify a license, charter, or certification. The denial, suspension, revocation, or modification may be indefinite or for a time certain;

(B) Impose civil penalties of up to one thousand dollars (\$1,000) for each violation or issue a warning notice; or

(C) Deny, revoke, suspend, or modify a license, charter, or certification pursuant to subdivision (a)(1)(A) and impose civil penalties pursuant to subdivision (a)(1)(B).

(2) The commissioner shall send the person against whom a violation is alleged written notice setting forth the charges. The person shall have ten (10) days from the date the notice was sent to request a hearing. If a hearing is requested, it shall be conducted in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

Senate Commerce and Labor Committee 1

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(b) A charter shall automatically be suspended should the licensed pest control operator whose name appears on the charter cease to be in charge of the charter holder's pest control operations. A grace period of no more than one hundred twenty (120) days may be granted to the charter holder so that another qualified person may be examined in accordance with this chapter.