

IN THE SENATE

SENATE BILL NO. 1245

BY COMMERCE AND HUMAN RESOURCES COMMITTEE

AN ACT

1 RELATING TO PESTICIDES; AMENDING CHAPTER 34, TITLE 22, IDAHO CODE, BY THE  
2 ADDITION OF A NEW SECTION 22-3427, IDAHO CODE, TO PROVIDE THAT CERTAIN  
3 LABELS SHALL BE SUFFICIENT TO SATISFY ANY REQUIREMENTS FOR A WARNING  
4 REGARDING HEALTH OR SAFETY OR ANY OTHER PROVISION OR DOCTRINE OF STATE  
5 LAW; AMENDING CHAPTER 6, TITLE 48, IDAHO CODE, BY THE ADDITION OF A NEW  
6 SECTION 48-620, IDAHO CODE, TO PROVIDE THAT CERTAIN LABELS SHALL BE SUF-  
7 FICIENT TO SATISFY ANY REQUIREMENTS FOR A WARNING REGARDING HEALTH OR  
8 SAFETY OR ANY OTHER PROVISION OR DOCTRINE OF STATE LAW; AND DECLARING AN  
9 EMERGENCY AND PROVIDING AN EFFECTIVE DATE.  
10

11 Be It Enacted by the Legislature of the State of Idaho:

12 SECTION 1. That Chapter 34, Title 22, Idaho Code, be, and the same is  
13 hereby amended by the addition thereto of a NEW SECTION, to be known and des-  
14 ignated as Section 22-3427, Idaho Code, and to read as follows:

15 22-3427. WARNING LABELS. Notwithstanding any other provision of law  
16 or regulation to the contrary, for any pesticide registered by the United  
17 States environmental protection agency under the federal insecticide,  
18 fungicide and rodenticide act (FIFRA), the label approved by the United  
19 States environmental protection agency in registering the pesticide or a  
20 label consistent with the most recent human health assessment performed un-  
21 der FIFRA or consistent with United States environmental protection agency  
22 carcinogenicity classification for the pesticide under FIFRA shall be suf-  
23 ficient to satisfy any requirements for a warning regarding health or safety  
24 or any other provision or doctrine of state law, including without limita-  
25 tion state tort law or relevant common law.

26 SECTION 2. That Chapter 6, Title 48, Idaho Code, be, and the same is  
27 hereby amended by the addition thereto of a NEW SECTION, to be known and des-  
28 ignated as Section 48-620, Idaho Code, and to read as follows:

29 48-620. WARNING LABELS. Notwithstanding any other provision of law  
30 or regulation to the contrary, for any pesticide registered by the United  
31 States environmental protection agency under the federal insecticide,  
32 fungicide and rodenticide act (FIFRA), the label approved by the United  
33 States environmental protection agency in registering the pesticide or a  
34 label consistent with the most recent human health assessment performed un-  
35 der FIFRA or consistent with United States environmental protection agency  
36 carcinogenicity classification for the pesticide under FIFRA shall be suf-  
37 ficient to satisfy any requirements for a warning regarding health or safety  
38 or any other provision or doctrine of state law, including without limita-  
39 tion state tort law or relevant common law.

1           SECTION 3. An emergency existing therefor, which emergency is hereby  
2 declared to exist, this act shall be in full force and effect on and after  
3 July 1, 2024.