

AMENDED IN SENATE JUNE 20, 2019

CALIFORNIA LEGISLATURE—2019–20 REGULAR SESSION

ASSEMBLY BILL

No. 916

Introduced by Assembly Member Muratsuchi

February 20, 2019

~~An act to amend Section 4098.3 of the Welfare and Institutions Code, relating to suicide prevention. An act to add Chapter 3.3 (commencing with Section 105230) to Part 5 of Division 103 of the Health and Safety Code, relating to pesticides.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 916, as amended, Muratsuchi. ~~Suicide prevention.~~ *Pesticide use: glyphosate.*

Existing law regulates the use of pesticides and authorizes the Director of Pesticide Regulation to adopt regulations to govern the possession, sale, or use of specified pesticides, as prescribed. Existing law provides that the regulation of pesticides is of statewide concern and that the state occupies the whole field of regulation regarding the registration, sale, transportation, or use of pesticides to the exclusion of all local regulation.

This bill would, until January 1, 2025, prohibit a city, county, charter city, city and county, or a special district, as defined, from using any pesticide that contains the active ingredient glyphosate. The bill would not preclude a county, city, charter city, city and county, or a special district from adopting or enforcing stricter pesticide use policies.

~~Existing law, the California Suicide Prevention Act of 2000, authorizes the State Department of Health Care Services to establish and implement a suicide prevention, education, and gatekeeper program to reduce the severity, duration, and incidence of suicidal behaviors.~~

~~Existing law authorizes the department to contract with an outside agency to establish and implement a targeted public awareness and education campaign on suicide prevention and treatment. Existing law requires the target populations to include junior high and high school students.~~

~~This bill would additionally require the target populations to include community college, 4-year college, and university undergraduate and graduate students.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~yes-no~~.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 *SECTION 1. The Legislature finds and declares all of the*
2 *following:*
- 3 *(a) In 2015, the World Health Organization’s International*
4 *Agency for Research on Cancer (IARC) evaluated the carcinogenic*
5 *risks of glyphosate and IARC Monograph 112 further classified*
6 *glyphosate as “probably carcinogenic to humans,” finding a*
7 *positive association for non-Hodgkin’s lymphoma.*
- 8 *(b) In July 2017, the state added glyphosate to a list of chemicals*
9 *recognized as carcinogens in the Labor Code and under*
10 *Proposition 65, also known as the Safe Drinking Water and Toxic*
11 *Enforcement Act of 1986.*
- 12 *(c) In 2018, a California jury awarded \$78 million to a school*
13 *groundskeeper formerly employed by the Benicia Unified School*
14 *District who was injured, and developed non-Hodgkin’s lymphoma,*
15 *after repeated exposure to glyphosate through his school job duties*
16 *that required applying herbicides containing glyphosate.*
- 17 *(d) In May 2019, a California jury awarded more than \$2 billion*
18 *to a couple who claimed that Bayer AG’s glyphosate-based*
19 *“Roundup” weed killer caused their cancer. It was the largest jury*
20 *verdict in the United States to date against a company in litigation*
21 *over glyphosate-based herbicide.*
- 22 *(e) It has been reported that at least 61 cities, counties, and*
23 *communities across 22 states have voluntarily considered, moved*
24 *to enact, or have enacted moratoriums, restrictions, or bans on*
25 *the use of glyphosate due to findings of the chemical’s toxicity.*

1 *SEC. 2. Chapter 3.3 (commencing with Section 105230) is*
2 *added to Part 5 of Division 103 of the Health and Safety Code, to*
3 *read:*

4
5 *CHAPTER 3.3. GLYPHOSATE*
6

7 105230. A city, county, charter city, city and county, or a
8 special district is prohibited from using any pesticide that contains
9 the active ingredient glyphosate until January 1, 2025.

10 105231. The following definitions govern this chapter:

11 (a) "Pesticide" has the same meaning as specified in Section
12 12753 of the Food and Agricultural Code.

13 (b) "Special district" has the same meaning as specified in
14 subdivision (c) of Section 1 of Article XIII C of the California
15 Constitution.

16 105232. Notwithstanding Section 11501.1 of the Food and
17 Agricultural Code or any other law, this section does not preclude
18 a county, city, charter city, city and county, or a special district
19 from adopting or enforcing stricter use policies for pesticides that
20 contain glyphosate.

21 ~~SECTION 1. Section 4098.3 of the Welfare and Institutions~~
22 ~~Code is amended to read:~~

23 ~~4098.3. The department may contract with an outside agency~~
24 ~~to establish and implement a targeted public awareness and~~
25 ~~education campaign on suicide prevention and treatment. Target~~
26 ~~populations shall include junior high and high school students,~~
27 ~~community college, four-year college, and university undergraduate~~
28 ~~and graduate students, as well as other selected populations known~~
29 ~~to be at high risk of suicide.~~