

# SENATE BILL REPORT

## SHB 1269

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As Reported By Senate Committee On:  
Agriculture, March 27, 2003

**Title:** An act relating to regulating structural pest inspectors.

**Brief Description:** Regulating structural pest inspectors.

**Sponsors:** House Committee on Agriculture & Natural Resources (originally sponsored by Representatives Linville and Schoesler; by request of Department of Agriculture).

**Brief History:**

**Committee Activity:** Agriculture: 3/27/03 [DP].

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### SENATE COMMITTEE ON AGRICULTURE

**Majority Report:** Do pass.

Signed by Senators Swecker, Chair; Brandland, Vice Chair; Jacobsen, Rasmussen and Sheahan.

**Staff:** Bob Lee (786-7404)

**Background:** The state's Pesticide Control Act requires pesticides distributed in the state to be registered and requires several categories of persons involved with pesticides to be licensed.

Since 1992, persons who perform structural pest inspections are also required to be licensed. Structural pest inspectors are those that inspect buildings for wood destroying organisms, their damage, or conditions conducive to their infestation. These organisms include insects and wood decay fungi.

Current law requires that a structural pest inspector have proof of insurance or a surety bond to address claims of economic losses by homeowners from faulty inspections. The forms of financial responsibility currently accepted are a \$25,000 surety bond or a \$50,000 errors and omissions insurance policy written on a three-year occurrence basis.

Currently, there is no specific structural pest inspector license. However, half are licensed as commercial consultants if they only conduct inspections, and half are licensed as commercial pesticide applicators and operators if they also apply pesticides.

**Summary of Bill:** A specific structural pest inspector license is created. Each applicant for a license must demonstrate knowledge of applicable laws and skills by satisfactorily passing a written exam. The Department of Agriculture is authorized to require licensees to obtain continuing education credits relating to inspection skills.

These licenses are renewed annually and structural pest inspectors must pay an annual license fee. Persons acting within authorities of other existing pesticide licenses are exempt from the application fee requirements. Individuals that solely repair damage or assess a monetary value of a structure continue to be exempt from licensing under this act.

Businesses that employ structural pest inspectors must obtain a company license and furnish evidence of financial responsibility for inspections conducted by the company. The acceptable forms include: an insurance policy, surety bond, assigned accounts, or other form as provided in rule.

The coverage for financial responsibility is to remain in effect for suits brought within two years of the inspection. The time limit set for bringing a suit on a surety bond or a policy has no effect, however, on the statute of limitations applicable to any claim any person may have against a structural pest inspector.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** The bill contains an emergency clause and takes effect on July 1, 2003.

**Testimony For:** This bill is the result of work between the Department of Agriculture and the structural pest control inspectors. Additional flexibility is needed to allow pest control inspection companies to meet financial responsibility requirements. A continuing education program will help to assure licensees kept up with new information and regulations on pest control.

**Testimony Against:** None.

**Testified:** Leslie Emerick, WSDA (pro).