

State Bed Bug Specific Laws & Rules as of July 22, 2013
Prepared by National Pest Management Association staff

**Alabama Administrative Code/ALABAMA STATE BOARD OF
HEALTH/DEPARTMENT OF PUBLIC HEALTH BUREAU OF
ENVIRONMENTAL AND HEALTH SERVICE STANDARDS**

**CHAPTER 420-3-11
CONSTRUCTION, MAINTENANCE, AND OPERATION OF HOTELS**

<http://www.alabamaadministrativecode.state.al.us/docs/hlth/420-3-11.pdf>

420-3-11-.12 Insect And Rodent Control.

(1) General - Effective measures intended to minimize the presence of rodents, flies, cockroaches and other insects on the premises shall be utilized. The premises shall be kept in such condition as to prevent the harborage or feeding of insects or rodents. Openings to the outside shall be protected from rodents and insects by tight-fitting, self-closing doors, closed windows, screening, controlled air-currents or other means. Screening material shall be not less than sixteen mesh to the inch, tight-fitting and free of breaks.

(2) Infestations - Guest rooms and other areas of the hotel found to be infested with rodents and/or insects, including but not limited to cockroaches, **bed bugs**, fleas, lice or mites, shall be subject to immediate closure until treatment of the room or area has been deemed effective in elimination of the vermin. The Health officer shall declare the problem abated before the room or area is reopened to guests.

(3) Premises - Immediate surroundings and premises shall be kept clean and free from rank growth of vegetation, discarded materials and insanitary nuisances.

(4) Garbage and Refuge - Each guest room and vanity area shall be provided with garbage containers. All containers used in guest rooms, vanities, bathrooms, lobbies, hallways, and public assembly rooms shall be constructed of durable materials that do not leak or absorb liquids. These containers shall be kept clean and in good repair. Garbage containers and singleservice

liners shall be provided in kitchenette areas.

Author: Ronald Dawsey, Tim Hatch

Statutory Authority: Code of Ala. 1975, §§22-2-2, 34-15-3.

History: Filed September 1, 1982. **Repealed and Replaced:** Effective March 26, 1993. **Amended:** December 20, 2006; effective January 24, 2007.

Arizona Revised Code

<http://www.azleg.gov/ars/36/00601.htm>

A. The following conditions are specifically declared public nuisances dangerous to the public health:

7. The presence of ectoparasites such as bedbugs, lice, mites and others in any place where sleeping accommodations are offered to the public.

B. If the director has reasonable cause to believe from information furnished to the director or from investigation made by the director that any person is maintaining a nuisance or engaging in any practice contrary to the health laws of this state, the director shall promptly serve on that person by certified mail a cease and desist order requiring the person, on receipt of the order, promptly to cease and desist from that act. Within fifteen days after receipt of the order, the person to whom it is directed may request the director to hold a hearing. The director, as soon as practicable, shall hold a hearing, and if the director determines the order is reasonable and just and that the practice engaged in is contrary to the health laws of this state, the director shall order the person to comply with the cease and desist order.

C. If a person fails or refuses to comply with the order of the director, or if a person to whom the order is directed does not request a hearing and fails or refuses to comply with the cease and desist order served by mail under subsection B, the director may file an action in the superior court in the county in which a violation occurred, restraining and enjoining the person

from engaging in further acts. The court shall proceed as in other actions for injunctions.

33-1319. Bedbug control; landlord and tenant obligations; definitions

<http://www.azleg.gov/ars/33/01319.htm>

A. A landlord has the following obligations with respect to a bedbug infestation:

1. The landlord shall provide bedbug educational materials to existing and new tenants. Educational materials may include:

- (a) A description of measures that may be taken to prevent and control bedbugs.
- (b) Information about bedbugs, including a description of their appearance.
- (c) A description of behaviors that are risk factors for attracting bedbugs such as purchasing renovated mattresses, using discarded mattresses and furniture, using used or leased furniture, purchasing pre-owned clothing and traveling without proper precautions.
- (d) Information provided by the United States centers for disease control and prevention and other federal, state or local health agencies.
- (e) Information provided by federal, state or local housing agencies.
- (f) Information provided by nonprofit housing organizations.
- (g) Information developed by the landlord.

2. The landlord shall not enter into any lease agreement with a tenant for a dwelling unit that the landlord knows to have a current bedbug infestation.

B. A tenant has the following obligations with respect to a bedbug infestation:

1. The tenant shall not knowingly move materials into a dwelling unit that are infested with bedbugs.

2. A tenant who knows of the presence of bedbugs shall provide the landlord written or electronic notification of the presence of bedbugs.

C. This section does not limit any other rights, remedies and obligations under this chapter.

D. The landlord and tenant of a single family residence are excluded from the provisions of this section.

E. Except as specifically provided in this section, this section does not create a cause of action against:

1. A landlord or a landlord's employees, officers, agents and directors by a tenant or a tenant's guests for any damages caused by bedbugs.

2. A tenant by a landlord for any damages caused by bedbugs.

F. For the purposes of this section:

1. "Bedbugs" means any insect in the genus cimex and its eggs.

2. "Infestation" or "infested" means that the presence of bedbugs is sufficient to materially affect the health and safety of tenants and their guests.

11-269.11. Prohibition on adopting landlord tenant bedbug control requirements

<http://www.azleg.gov/ars/11/00269-11.htm>

A. Except as provided in subsection B of this section the board of supervisors and any other person under the authority of the board of supervisors shall not adopt requirements by ordinance or otherwise for landlords or tenants that relate to the control of bedbugs as defined in section 33-1319, other than the requirements prescribed by section 33-1319.

B. The board of supervisors or a person under the authority of the board of supervisors may adopt requirements relating to the proper disposal of items that are infested with bedbugs.

9-500.31. Prohibition on adopting landlord tenant bedbug control requirements

<http://www.azleg.gov/ars/9/00500-31.htm>

A. Except as provided in subsection B of this section, a city or town shall not adopt requirements by ordinance or otherwise for landlords or tenants that relate to the control of bedbugs as defined in section 33-1319, other than the requirements prescribed by section 33-1319.

B. A city or town may adopt requirements relating to the proper disposal of items that are infested with bedbugs.

Senate Bill 1306 – Enacted April 2011/Implemented July 2011

<http://www.azleg.gov/legtext/50leg/1r/bills/sb1306h.pdf>

California Code of Regulations-Title 25-Housing and Community Development

http://archive.org/stream/ca.ccr.25/ca.ccr.25_djvu.txt

§ 40. Bedding.

In every apartment house or hotel subject to this part, held out for rent and furnished with a bed and bedding, every part of every bed, including the mattress, sheets, blankets, and bedding shall be kept in a clean, dry and sanitary condition, free from filth, urine, or other foul matter, and from the infection of lice, bedbugs, or other insects. The bed linen in a hotel shall be changed before a new guest occupies the bed. In every dwelling unit where linen is furnished, the linen shall be changed before a new guest occupies the dwelling unit.

NOTE: Authority cited: Sections 17003.5, 17921, 17922, 50061.5 and 50559, Health and Safety Code. Reference: Sections 17920.3 and 17922, Health and Safety Code.

History

1 . Change without regulatory effect amending section filed 6-23-2004 pursuant to section 100, title 1, California Code of Regulations (Register 2004, No. 26).

http://archive.org/stream/ca.ccr.25/ca.ccr.25_djvu.txt

Florida Revised Code/Title VI/Civil Practice and Procedure/Chapter 83-Landlord and Tenant

http://www.leg.state.fl.us/statutes/index.cfm?mode=View%20Statutes&SubMenu=1&App_mode=Display_Statute&Search_String=bedbugs&URL=0000-0099/0083/Sections/0083.51.html

83.51 Landlord's obligation to maintain premises.—

(1) The landlord at all times during the tenancy shall:

(a) Comply with the requirements of applicable building, housing, and health codes; or

(b) Where there are no applicable building, housing, or health codes, maintain the roofs, windows, screens, doors, floors, steps, porches, exterior walls, foundations, and all other structural components in good repair and capable of resisting normal forces and loads and the plumbing in reasonable working condition. However, the landlord shall not be required to maintain a mobile home or other structure owned by the tenant.

The landlord's obligations under this subsection may be altered or modified in writing with respect to a single-family home or duplex.

(2)(a) Unless otherwise agreed in writing, in addition to the requirements of subsection (1), the landlord of a dwelling unit other than a single-family home or duplex shall, at all times during the tenancy, make reasonable provisions for:

1. The extermination of rats, mice, roaches, ants, wood-destroying organisms, and **bedbugs**. When vacation of the premises is required for such extermination, the landlord is not liable for damages but shall abate the rent. The tenant must temporarily vacate the premises for a period of time not to exceed 4 days, on 7 days' written notice, if necessary, for extermination pursuant to this subparagraph.

2. Locks and keys.

3. The clean and safe condition of common areas.

4. Garbage removal and outside receptacles therefor.

5. Functioning facilities for heat during winter, running water, and hot water.

(b) Unless otherwise agreed in writing, at the commencement of the tenancy of a single-family home or duplex, the landlord shall install working smoke detection devices. As used in this paragraph, the term "smoke detection device" means an electrical or battery-operated device which detects visible or invisible particles of combustion and which is listed by Underwriters Laboratories, Inc., Factory Mutual Laboratories, Inc., or any other nationally recognized testing laboratory using nationally accepted testing standards.

(c) Nothing in this part authorizes the tenant to raise a noncompliance by the landlord with this subsection as a defense to an action for possession under s. 83.59.

(d) This subsection shall not apply to a mobile home owned by a tenant.

(e) Nothing contained in this subsection prohibits the landlord from providing in the rental agreement that the tenant is obligated to pay costs or charges for garbage removal, water, fuel, or utilities.

(3) If the duty imposed by subsection (1) is the same or greater than any duty imposed by subsection (2), the landlord's duty is determined by subsection (1).

(4) The landlord is not responsible to the tenant under this section for conditions created or caused by the negligent or wrongful act or omission of the tenant, a member of the tenant's family, or other person on the premises with the tenant's consent.

History.—s. 2, ch. 73-330; s. 22, ch. 82-66; s. 4, ch. 87-195; s. 1, ch. 90-133; s. 3, ch. 93-255; s. 444, ch. 95-147; s. 8, ch. 97-95.

<http://www.myfloridahouse.gov/Sections/Documents/loaddoc.aspx?FileName= h0077er.docx&DocumentType=Bill&BillNumber=0077&Session=2013>
—Most recently amended by Florida House Bill 77 during 2013 Regular Session

Hawaii 2006 Resolution

http://www.capitol.hawaii.gov/session2006/Bills/HCR36_SD1_.htm

H.C.R. NO.	36	
	TWENTY-THIRD LEGISLATURE, 2006	H.D. 1
	STATE OF HAWAII	S.D. 1

HOUSE CONCURRENT RESOLUTION

REQUESTING THE DEPARTMENT OF HEALTH TO WORK IN COOPERATION WITH THE STATE TOURISM LIAISON AND THE HAWAII HOTEL & LODGING ASSOCIATION IN RAISING AWARENESS, EDUCATION, AND PREVENTION OF THE INCREASING INCIDENCE OF BEDBUGS.

WHEREAS, after nearly being eradicated six decades ago, bedbugs are appearing in growing numbers throughout the United States; and

WHEREAS, the National Pest Management Association indicates they have received reports of bedbugs in forty-three states; and

WHEREAS, changing pest control practices that favor non-toxic alternatives is believed to have contributed to the current bedbug problem; and

WHEREAS, increased world travel has also been a factor in the re-emergence of bedbugs, which are easily transported in a suitcase and can survive for long periods without food; and

WHEREAS, nationally, a number of hotels with bedbug problems have had to deal with frustrated visitors and negative publicity; and

WHEREAS, Hawaii's visitor industry and residents alike are susceptible to the increasing incidence of bedbugs and the costs related to their control and extermination; now, therefore,

BE IT RESOLVED by the Senate of the Twenty-third Legislature of the State of Hawaii, Regular Session of 2006, the House of Representatives concurring, that the Department of Health is requested to work in cooperation with the State Tourism Liaison and the Hawaii Hotel & Lodging Association in raising awareness, education, and prevention of the increasing incidence of bedbugs; and

BE IT FURTHER RESOLVED that the Director of Health is requested to submit findings and recommendations to the Legislature not later than twenty days prior to the convening of the Regular Session of 2007; and

BE IT FURTHER RESOLVED that a certified copy of this Concurrent Resolution be transmitted to the Director of Health, the State Tourism Liaison, and the Hawaii Hotel & Lodging Association.

Report Title:

Bedbugs; Department of Health

Illinois Compiled Laws

Chapter 610-Railroads

<http://www.ilga.gov/legislation/ilcs/documents/061000850K1.htm>

(610 ILCS 85/1) (from Ch. 114, par. 100a)

Sec. 1. No owner or operator of a railroad shall permit any railroad car to be dispatched for the transportation of or occupation by passengers unless such cars is in a clean and sanitary condition and is free from cockroaches, body lice, bedbugs and other vermin.

(Source: Laws 1949, p. 1243.)

(610 ILCS 85/2) (from Ch. 114, par. 100b)

<http://www.ilga.gov/legislation/ilcs/documents/061000850K2.htm>

Sec. 2. Owners and operators of railroads shall require railroad cars used for the transportation of or occupation by passengers to be regularly cleaned and inspected and to be fumigated or otherwise treated to free them from cockroaches, body lice, bedbugs and other vermin.

(Source: Laws 1949, p. 1243.)

(610 ILCS 85/3) (from Ch. 114, par. 100c)

Sec. 3.

Whoever violates this Act shall be guilty of a petty offense. The use of any car for the transportation of or occupation by passengers when the car is not in a clean and sanitary condition or is not free from cockroaches, body lice, bedbugs and other vermin is a separate offense for each day such car is so used.

(Source: P. A. 77-2199.)

<http://www.ilga.gov/legislation/ilcs/documents/061000850K3.htm>

PROFESSIONS AND OCCUPATIONS

(225 ILCS 235/) Structural Pest Control Act.

<http://www.ilga.gov/legislation/ilcs/documents/022502350K10.15.htm>

(225 ILCS 235/10.15)

(Section scheduled to be repealed on January 1, 2012)

Sec. 10.15. Findings and Council report. The General Assembly makes the following findings:

(1) The quality of life for a growing number of

Illinois families has been impacted by a significant increase in bed bug (*Cimex lectularius*) infestations.

(2) A joint EPA/CDC statement recognizes bed bugs as a pest of public health importance.

(3) Bed bug infestations are increasing, are difficult to abate, and pose a challenge to those affected by those infestations.

(4) There is a lack of public awareness about bed bug prevention, management, and control, necessitating the need for education of consumers, tenants, landlords, property owners, and managers.

(5) In April of 2009, the United States Environmental Protection Agency held its first National Bed Bug Summit to solicit recommendations on dealing with the growing public nuisance of bed bugs; among the major recommendations emanating from the summit was the importance of legislative support and better education about bed bugs for governments and elected officials.

(6) It is in the public interest to study the increase in bed bug infestations and make specific recommendations for addressing this growing public nuisance. The Structural Pest Control Advisory Council shall convene a subcommittee to develop a report to the General Assembly with recommendations on the prevention, management, and control of bed bug infestations. The report shall include, but not be limited to, recommendations related to the availability of education materials on bed bug prevention, management, and control; proper transport, storage, and disposal of bed bug infested materials; promote the development of effective treatment methods or options to eradicate bed bug infestation; and increasing knowledge and awareness among tenants, landlords, and property managers and owners about preventing bed bug infestations.

In addition to the members of the Structural Pest Control Advisory Council, the subcommittee may include: a representative of a nonprofit organization, particularly one involved with tenant advocacy issues; a representative of apartment associations; and staff from the Illinois Housing Development Authority and the Office of the Illinois Attorney General. The members of the

subcommittee shall serve without compensation for their duties or expenses incurred with the work of the subcommittee.
The Structural Pest Control Advisory Council shall issue its report to the General Assembly on or before December 31, 2011. This Section is repealed on January 1, 2012.
(Source: P.A. 96-1330, eff. 7-27-10.)

Iowa Administrative Rule

TITLE IV PUBLIC HEALTH/SUBTITLE 2 HEALTH-RELATED ACTIVITIES/CHAPTER 138 MIGRANT LABOR CAMPS/138.13 Conditions for permit.

<https://www.legis.iowa.gov/DOCS/ACO/IC/LINC/2013.Section.138.13.pdf>

138.13 Conditions for permit.

To be eligible for a permit, a migrant labor camp, or portion thereof, shall meet each and all of the following requirements:

10. *Insect and rodent control.*

a. Effective measures shall be taken to control rats, mice, flies, mosquitoes; **bedbugs**, and all other insects, rodents, and parasites within the camp premises.

b. Pesticides and pest control equipment shall be stored and used in a safe manner.

[C71, 73, 75, 77, 79, 81, §138.13]

Kansas Administrative Rules/Article 36.—FOOD SERVICE ESTABLISHMENTS, FOOD VENDING MACHINE COMPANIES AND LODGING ESTABLISHMENTS/28-36-77. Guest rooms.

http://www.kssos.org/pubs/KAR/2009/2A004_28-Department%20of%20Health%20and%20Environment%20Articles%2036%20through%2040,%202009%20KAR%20Vol%202A.pdf

(p) Each guest room shall be free of any evidence of insects, rodents, and other pests.

- (1) If a guest room has been vacant for at least 30 days, the licensee shall visually inspect that room for any evidence of insects, rodents, and other pests within 24 hours of occupancy by the next guest.
- (2) No guest room that is infested by insects, rodents, or other pests shall be rented until the infestation is eliminated.
- (3) The presence of bed bugs, which is indicated by observation of a living or dead bed bug, bed bug carapace, eggs or egg casings, or the typical brownish or blood spotting on linens, mattresses , or furniture, shall be considered an infestation.
- (4) The presence of bed bugs shall be reported to the regulatory authority within one business day upon discovery or upon receipt of a guest complaint.
- (5) All infestations shall be treated by a licensed pest control operator (PCO).
- (6) All pest control measures, both mechanical and chemical, shall be used in accordance with the manufacturer's recommendations.
- (7) No rodenticides, pesticides, or insecticides shall be stored in a guest room or in any area that could contaminate guest supplies, food, condiments, dishware, or utensils.

Maine Revised Statutes-Title 14: COURT PROCEDURE – CIVIL/ Part 7: PARTICULAR PROCEEDINGS/Chapter 710: RENTAL PROPERTY

<http://www.mainelegislature.org/legis/statutes/14/title14sec6021-A.html>

<http://www.mainelegislature.org/legis/statutes/14/title14sec6021-A.pdf>

§6021-A. Treatment of bedbug infestation

1. Definition. As used in this section, unless the context otherwise indicates, "pest control agent" means a commercial applicator of pesticides certified pursuant to Title 22, section 1471-D.

[2009, c. 566, §8 (NEW) .]

2. Landlord duties. A landlord has the following duties.

A. Upon written or oral notice from a tenant that a dwelling unit may have a bedbug infestation, the landlord shall within 5 days conduct an inspection of the unit for bedbugs. [2009, c. 566, §8 (NEW).]

B. Upon a determination that an infestation of bedbugs does exist in a dwelling unit, the landlord shall within 10 days contact a pest control agent pursuant to paragraph C. [2009, c. 566, §8 (NEW).]

C. A landlord shall take reasonable measures to effectively identify and treat the bedbug infestation as determined by a pest control agent. The landlord shall employ a pest control agent that carries current liability insurance to promptly treat the bedbug infestation. [2009, c. 566, §8 (NEW).]

D. Before renting a dwelling unit, a landlord shall disclose to a prospective tenant if an adjacent unit or units are currently infested with or are being treated for bedbugs. Upon request from a tenant or prospective tenant, a landlord shall disclose the last date that the dwelling unit the landlord seeks to rent or an adjacent unit or units were inspected for a bedbug infestation and found to be free of a bedbug infestation. [2009, c. 566, §8 (NEW).]

E. A landlord may not offer for rent a dwelling unit that the landlord knows or suspects is infested with bedbugs. [2009, c. 566, §8 (NEW).]

F. A landlord shall offer to make reasonable assistance, including financial assistance, available to a tenant who is not able to comply with requested bedbug inspection or control measures under subsection 3, paragraph C. After first disclosing what the cost of the tenant's compliance with requested bedbug inspection or control measures may be, a landlord may charge the tenant a reasonable amount for any such assistance, subject to a reasonable repayment schedule, not to exceed 6 months, unless an extension is otherwise agreed to by the landlord and the tenant. [2009, c. 566, §8 (NEW).]

[2009, c. 566, §8 (NEW) .]

3. Tenant duties. A tenant has the following duties.

A. A tenant shall promptly notify a landlord when the tenant knows of or suspects an infestation of bedbugs in the tenant's dwelling unit. [2009, c. 566, §8 (NEW).]

B. Upon receiving reasonable notice as set forth in section 6025, including reasons for and scope of the request for access to the premises, a tenant shall grant the landlord of the dwelling unit, the landlord's agent or the landlord's pest control agent and its employees access to the unit for purposes of an inspection for or control of the infestation of bedbugs. The initial inspection may include only a visual inspection and manual inspection of the tenant's bedding and upholstered furniture. Employees of the pest control agent may inspect items other than bedding and upholstered furniture when such an inspection is considered reasonable by the pest control agent. If the pest control agent finds bedbugs in the dwelling unit or in an adjoining unit, the pest control agent may have additional access to the tenant's personal belongings as determined reasonable by the pest control agent. [2009, c. 566, §8 (NEW).]

C. Upon receiving reasonable notice as set forth in section 6025, a tenant shall comply with reasonable measures to eliminate and control a bedbug infestation as set forth by the landlord and the pest control agent. The tenant's unreasonable failure to completely comply with the pest control measures results in the tenant's being financially responsible for all pest control treatments of the dwelling unit arising from the tenant's failure to comply. [2009, c. 566, §8 (NEW).]

[2009, c. 566, §8 (NEW) .]

4. Remedies. The following remedies are available.

A. The failure of a landlord to comply with the provisions of this section constitutes a finding that the landlord has unreasonably failed under the circumstances to take prompt, effective steps to repair or remedy a condition that endangers or materially impairs the health or safety of a tenant pursuant to section 6021, subsection 3. [2009, c. 566, §8 (NEW).]

B. A landlord who fails to comply with the provisions of this section is liable for a penalty of \$250 or actual damages, whichever is greater, plus reasonable attorney's fees. [2009, c. 566, §8 (NEW).]

C. A landlord may commence an action in accordance with section 6030-A and obtain relief against a tenant who fails to provide reasonable access or comply with reasonable requests for inspection or treatment or otherwise unreasonably fails to comply with reasonable bedbug control

measures as set forth in this section. For the purposes of section 6030-A and this section, if a court finds that a tenant has unreasonably failed to comply with this section, the court may issue a temporary order or interim relief pursuant to Title 5, section 4654 to carry out the provisions of this section, including but not limited to:

(1) Granting the landlord access to the premises for the purposes set forth in this section;

(2) Granting the landlord the right to engage in bedbug control measures; and

(3) Requiring the tenant to comply with specified bedbug control measures or assessing the tenant with costs and damages related to the tenant's noncompliance.

Any order granting the landlord access to the premises must be served upon the tenant at least 24 hours before the landlord enters the premises. [2009, c. 566, §8 (NEW).]

D. In any action of forcible entry and detainer under section 6001, there is a rebuttable presumption that the action was commenced in retaliation against the tenant if, within 6 months before the commencement of the action, the tenant has asserted the tenant's rights pursuant to this section. [2009, c. 566, §8 (NEW).]

[2009, c. 566, §8 (NEW) .]

SECTION HISTORY

2009, c. 566, §8 (NEW).

LD 1198 – Signed June 22, 2011-Amended 2010 Bed Bug Law
http://www.mainelegislature.org/legis/bills/bills_125th/chappdfs/PUBL_IC405.pdf

Sec. 9. 14 MRSA §6021-A, sub-§2, ¶F, as enacted by PL 2009, c. 566, §8, is amended to read:

F. A landlord shall offer to make reasonable assistance, ~~including financial assistance,~~ available to a tenant who is not able to comply

with requested bedbug inspection or control measures under subsection 3, paragraph C. The landlord shall disclose to the tenant what the cost may be for the tenant's compliance with the requested bedbug inspection or control measure. ~~After first disclosing what the cost of the tenant's compliance with requested bedbug inspection or control measures may be, amaking this disclosure, the landlord may provide financial assistance to the tenant to prepare the unit for bedbug treatment.~~ A landlord may charge the tenant a reasonable amount for any such assistance, subject to a reasonable repayment schedule, not to exceed 6 months, unless an extension is otherwise agreed to by the landlord and the tenant. This paragraph may not be construed to require the landlord to provide the tenant with alternate lodging or to pay to replace the tenant's personal property.

Sec. 10. 14 MRSA §6021-A, sub-§4, ¶D, as enacted by PL 2009, c. 566, §8, is amended to read:

D. In any action of forcible entry and detainer under section 6001, there is a rebuttable presumption that the action was commenced in retaliation against the tenant if, within 6 months before the commencement of the action, the tenant has asserted the tenant's rights pursuant to this section. The rebuttable presumption of retaliation does not apply unless the tenant asserted that tenant's rights pursuant to this section prior to being served with the eviction notice. There is no presumption of retaliation if the action for forcible entry and detainer is brought for failure to pay rent or for causing substantial damage to the premises.

**Maryland Administrative Code-Title 15-MD Department of
Agriculture-Subtitle 5-Pesticide Use Control**

15.05.01.01

.01 Definitions.

<http://www.dsd.state.md.us/comar/getfile.aspx?file=15.05.01.01.htm>

A. The following terms have the meanings indicated.

B. Terms Defined.

- (1) "Application" means the spreading of pesticides, by contract or otherwise, for any person owning or renting property.
- (2) "Alert" means a characteristic change in a dog's behavior in response to the odor of a pest as interpreted by the dog's handler.
- (3) "Canine scent pest detection team" or "Team" means a human and a dog that train and work together as a unit to detect a target pest.
- (4) "Certified applicator" means a person who is certified by the Secretary under this chapter.
- (5) "Customer" means a person who has entered into a contract with a licensee for pest control and includes the owner of property on which a licensee has applied a pesticide.
- (6) "Department" means the Maryland Department of Agriculture or its designated representative.
- (7) "Device" means an instrument or mechanical contrivance intended to trap, locate, destroy, control, repel, or mitigate pests.
- (8) "Distractor" means a non-target odor source placed within a dog's search area.
- (9) "EPA" means United States Environmental Protection Agency.
- (10) "Extract" means an odor extracted from a target pest for the dog to detect.

(11) "Hide" means a container that allows free movement of air containing between 5 and 20 live target pests or viable eggs.

(12) "Label" means the written, printed, or graphic matter on, or attached to, the pesticide or device or any of its containers or wrappers.

(13) "Labeling" means all written, printed, or graphic matter:

(a) Accompanying the pesticide or device at any time; or

(b) To which reference is made on the label or in literature accompanying the pesticide or device, except to current official publications of the:

(i) Environmental Protection Agency;

(ii) United States Departments of Agriculture, Interior, and Health, Education, and Welfare;

(iii) State experiment stations;

(iv) State agricultural colleges; and

(v) Other similar federal or State institutions or agencies authorized by law to conduct research in the field of pesticides.

(14) "Nonbulk pesticide" means any liquid or nonliquid pesticide distributed, sold, offered for sale, packaged, or repackaged in containers of less than 56 gallons liquid or 100 pounds net dry weight.

(15) "Person" means an individual, corporation, partnership, association, firm, or other business entity.

(16) "Pest" means an insect, snail, slug, rodent, nematode, fungus, weed, or any other form of terrestrial or aquatic plant or animal life or virus, bacteria, or other microorganism (except viruses, bacteria, or other microorganisms, on or in living man or any other living animal) which normally is considered to be a pest or which the Secretary declares to be a pest.

(17) "Pest control" means engaging in, or offering to engage in, recommending, advertising, soliciting the use of, supervising the use of, or

using, a pesticide or device for the identification, control, eradication, mitigation, detection, inspection, or prevention of a pest in, on, or around any house, building, water, air, land, plant, structure, or animal.

(18) "Pest control applicator" means a person engaged in the business of pest control, including, except as provided by the Secretary, a person who applies pesticides on any premises where the public is commonly invited for the sale of goods or services.

(19) "Pest control consultant" means a person who engages in the business of:

(a) Offering or supplying technical advice or supervision;

(b) Inspecting for or identifying pests; or

(c) Recommending the use of a specific pesticide for the purpose of controlling a pest in or on water, air, land, plants, structures, or animals.

(20) "Pesticide" means any substance or mixture of substances intended for:

(a) Preventing, destroying, repelling, or mitigating any pest;

(b) Use as a plant regulator, defoliant, or desiccant; or

(c) Use as a spray adjuvant such as a wetting agent or adhesive.

(21) "Pesticide business license" means a license issued by the Secretary to any business according to this chapter.

(22) "Place of business" means any location from which pest control is conducted.

(23) "Private applicator" means a person who uses a restricted use pesticide for the purpose of producing an agricultural commodity on property owned or rented by the applicator or applicator's employer.

(24) "Pseudo-scent" means a man-made compound that mimics the target pest odor.

(25) "Public agency applicator" means a person employed by a unit of federal, State, county or local government or any training institution which is engaged in pest control.

(26) "Registered employee" means an employee of a firm or public agency engaged in pest control.

(27) "Restricted use pesticide" means a pesticide so classified by Agriculture Article, Title 5, Annotated Code of Maryland, the federal government, or the Maryland Secretary of Agriculture.

(28) "Secretary" means the Secretary of Agriculture or a designee.

(29) "Supervision" means, unless otherwise provided by federal or State labeling, the act or process whereby the application of a pesticide is made by a competent person acting under the instructions and control of a certified applicator who is:

(a) Responsible for actions of that person; and

(b) Available when needed, though the certified applicator may not be physically present at the time and place the pesticide is applied.

15.05.01.14

.14 Standards for Inspection for Pests.

<http://www.dsd.state.md.us/comar/getfile.aspx?file=15.05.01.14.htm>

A. Responsibilities — General. The following standards apply to each person regulated under this chapter, and each pest inspection shall be done according to the following standards by a person who is competent to determine the presence of target pests or their damage:

(1) Each inspection shall include a careful visual observation and thorough examination of the readily accessible area, object, material, structure, or part of a structure inspected. Particular attention shall be directed to those areas where target pests are likely to occur, based upon the habits and natural tendencies of the target pest.

(2) The inspector shall report accurately all findings in writing to the person or persons for whom the inspection was performed.

(3) The report shall indicate any findings or visible evidence of the target pest or pests. The initial inspection report for any wood destroying insect shall include a diagram of the structure inspected that indicates locations where target pests are found. Upon subsequent inspection, the initial inspection diagram shall be updated if structural changes are visible or when an insect reinfestation is observed.

(4) A copy of any inspection report for pest control contracted shall be held by each licensee, permit or certificate holder for 2 years, and shall be made available, upon request, to the Department.

B. This section applies only to inspections for wood destroying insects made in connection with a property transfer or for the purpose of securing a real estate loan. A person performing this inspection (licensee, certificate holder, or registered employee) shall:

(1) Sound or probe readily accessible structural members to inspect for wood destroying insects, and direct particular attention to the following readily accessible areas of the structure under inspection:

(a) Exterior. The exterior of a structure below eye level, without the use of ladders, shall be inspected.

(b) Interior/General, Including the Attic. The interior of the structure, including readily accessible attic area, shall be inspected.

(c) Interior/Basement. The interior of the basement area shall be inspected.

(d) Interior/Crawl Space. The crawl space area shall be inspected.

(2) Using Form MD-1, Maryland Wood Destroying Insect Inspection Report, complete an inspection report containing the following information:

(a) Date of inspection;

(b) Name and address of licensee performing inspection;

- (c) Name of person performing inspection;
 - (d) Name of property owner or seller if known;
 - (e) Address of property or structure inspected;
 - (f) Description of structure inspected;
 - (g) Indicate areas of the structure inaccessible to inspector, including, but not limited to, areas of the basement, crawl space, main level, attic, exterior and attached garage or porch, and indicate reason why the area is inaccessible;
 - (h) Indicate presence or absence of wood destroying insects;
 - (i) Indicate visible evidence, if any, of wood destroying insects, including a description of the specific location of damage and insect, or insects, involved;
 - (j) Indicate visible damage, if any, to the structure, and if known indicate whether damage has, or will be, corrected or further evaluated;
 - (k) Indicate if insect control measures were performed;
 - (l) Indicate visible evidence of previous treatment;
 - (m) A statement required by the department about conditions conducive to infestation that may be present in or around structures;
 - (n) The name of the inspector and signature and title of the company representative if different from the inspector.
- (3) Include with the inspection report a diagram of the structure inspected showing the locations where visible evidence of wood destroying insects is found, including the specific location of damage observed.
- (4) The licensee is responsible for the cost of producing the inspection report form required under this section.

C. Canine Pest Detection Teams.

(1) A person may not operate a pest control business using a canine scent pest detection team to detect any pest, unless both the dog and the dog's handler are trained according to the requirements of this regulation and the business is licensed and certified as required by this chapter.

(2) Each team shall be certified as satisfactorily trained, for pest detection by an individual or organization recognized by the Department, for each target pest for which it intends to offer pest detection services.

(3) A team may only be certified as trained for pest detection and not dogs or handlers who are not part of a team.

(4) A team shall be recertified each year as satisfactorily trained in pest detection work.

(5) An individual or organization that trains or certifies a team for pest detection work may use pseudo-scents and extracts for training purposes but shall not use them for certification testing purposes.

(6) Each person who operates a pest control business shall maintain accurate records of the training of each team and its certification. These records shall be maintained for 2 years and shall be made immediately available, on request, to the Department. The following information shall be kept:

(a) The name of the handler and the dog;

(b) The name, address and telephone number of the individual or organization that provided initial training, maintenance training, certification, or recertification of the handler and dog;

(c) The date when initial training, maintenance training, or recertification was completed;

(d) A certification by the individual or organization that trains the team that it has successfully completed any required training; and

(e) Proof that the team has been recertified as required by this regulation.

(7) Each team training test shall be designed by the qualified person to accurately evaluate the ability of a team to satisfactorily perform pest detection work.

(8) All training tests shall take place under conditions that are similar to conditions where target pests may be found.

(9) Any test shall consist at a minimum of 4 areas or spaces designed to restrict odors from moving between areas or spaces.

(10) Each test area described in §C of this regulation shall contain at least 2 distractors and 3 hides as follows:

(a) The person performing a testing shall place hides in the testing room or space at least 30 minutes before testing begins;

(b) A distractor shall represent the typical encountered under field conditions by a team in the region the team operates; and

(c) If a dead target pest is used as a distractor, the pest shall have been dead for at least 48 hours.

(11) The time limit for completing the search of all rooms, spaces or areas for a pest by a team is 20 minutes, excluding the time spent by the team travelling between rooms or spaces. Individuals or organizations conducting canine scent detection team testing shall adjust the time limit of the test to account for varying size rooms and spaces.

(12) The person conducting any testing shall pass or fail the team, however, one false alert is allowed but it cannot be on a placed distractor.

(13) If any dog is treated cruelly during testing, the dog team fails any test.

(14) At least two individuals shall conduct each test for the satisfactory detection of the team for a pest.

(15) Each individual conducting the test shall have a minimum of 5 years of documented experience, recognized by the Department, in dog scent handling, training and evaluation in at least one of the following areas:

- (a) Law enforcement;
- (b) Other government agency;
- (c) Military; or
- (d) Other comparable experience verifiable by the Department in dog scent detection training or evaluation.

D. A person testing a team may not be the dog's current or former trainer and may not have any business or financial interest in the team's business.

E. A person who tests a team for the detection of pests may have standards that are stricter than the standards provided in this chapter.

**Michigan Administrative Code-DEPARTMENT OF CONSUMER AND
INDUSTRY SERVICES-DIVISION OF CHILD WELFARE
LICENSING/FOSTER FAMILY HOMES AND FOSTER FAMILY GROUP
HOMES**

http://www7.dleg.state.mi.us/orr/Files/AdminCode/608_10579_AdminCode.pdf

(By authority conferred on the director of the department of consumer and industry services by sections 2, 5, 10, and 14 of Act No. 116 of the Public Acts of 1973, as amended, and Executive Reorganization Orders No. 1996-1 and No. 1996-2, being §§722.112, 722.115, 722.120, 722.124, 330.3101, and 445.2001 of the Michigan Compiled Laws)

**PART 3. INSPECTION AND LICENSING
COUNTY INFIRMARIES**

R 400.57 Care of residents.

Rule 57. (1) Residents shall be subjected to only kind, proper, and humane treatment.

(2) Each resident shall have his own clothing, properly marked, which shall be kept clean and well mended.

- (3) It shall be the responsibility of the superintendent and matron to see that residents bathe or are bathed at least weekly or more frequently if essential to personal cleanliness. Towels and washcloths shall be provided and a regular place arranged for them to be kept.
- (4) A routine procedure shall be established by which incoming cases shall be prevented from bringing in bedbugs and lice. Immediate steps shall be taken to eradicate existing vermin and to keep all quarters free of vermin.
- (5) Food shall be wholesome, ample, of sufficient dietary variety, well cooked and served.
- (6) In the event of death, or serious illness or accident, immediate notice shall be given to the nearest relative or friend of the resident.
- History: 1944 AC; 1954 AC; 1979 AC.

Minnesota Administrative Code

CHAPTER 4625, LODGING ESTABLISHMENTS

https://www.revisor.mn.gov/rules/?id=4625.1700&keyword_type=all&keyword=bedbugs

4625.1700 INSECT AND RODENT CONTROL.

Every hotel, motel, lodging house, and resort shall be so constructed and equipped as to prevent the entrance, harborage, or breeding of flies, roaches, bedbugs, rats, mice, and all other insects and vermin, and specific means necessary, for the elimination of such pests such as cleaning, renovation, or fumigation shall be used. The commissioner may order the facility to hire an exterminator licensed by the state to exterminate pests when:

A. the infestation is so extensive that it is unlikely that a nonprofessional can eradicate the pests effectively; or

B. the extermination method of choice can only be carried out by a licensed exterminator; or

C. upon reinspection, it is found that an establishment has not been brought into compliance with a prior order to rid the establishment of pests.

Statutory Authority:

MS s 144.08; 144.12; 157.01 to 157.14; 327.10 to 327.67

Posted: *January 21, 2000*

https://www.revisor.mn.gov/rules/?id=4625.1700&keyword_type=all&keyword=bedbugs

CHAPTER 4665, SUPERVISED LIVING FACILITIES

4665.2300 INSECT AND RODENT CONTROL.

Every facility shall be so constructed or equipped as to prevent the entrance, harborage, or breeding of flies, roaches, bedbugs, rats, mice, and all other insects and vermin. Cleaning, renovation, or fumigation by licensed pest control operators for the elimination of such pests shall be used when necessary.

Statutory Authority:

MS s 144.56

Posted:

October 11, 2007

https://www.revisor.mn.gov/rules/?id=4665.2300&keyword_type=all&keyword=bedbugs

Nebraska Administrative Code-Title 175 Nebraska Department of Health/Health Care Facilities/Regulations-Chapter 3 Regulations Governing Centers for the Mentally Disabled

[http://www.sos.ne.gov/rules-and-regs/regsearch/Rules/Health and Human Services System/Title-175/Chapter-03.pdf](http://www.sos.ne.gov/rules-and-regs/regsearch/Rules/Health%20and%20Human%20Services%20System/Title-175/Chapter-03.pdf)

004.12 Insect and Rodent Control. Every facility shall or equipped so as to prevent the entrance, harborage, or breeding of flies, roaches, bedbugs, rats, mice, and all other insects and vermin. Cleaning renovation, or fumigation by licensed pest control operator for the elimination of such pests shall be used when necessary.

Nevada Revised Code-CHAPTER 447 - PUBLIC ACCOMMODATIONS

<http://www.leg.state.nv.us/Division/Legal/LawLibrary/NRS/NRS-447.html>

NRS 447.030 Extermination of vermin. Any room in any hotel in this state which is or shall be infested with vermin or bedbugs or similar things shall be thoroughly fumigated, disinfected and renovated until such vermin or bedbugs or other similar things are entirely exterminated.

[3:136:1915; 1919 RL p. 2811; NCL § 3339]

Nevada Administrative Code-Chapter 444 Sanitation Labor Camps

<http://www.leg.state.nv.us/nac/NAC-444.html#NAC444Sec552>

NAC 444.552 General standards. ([NRS 439.200](#), [444.190](#))

1. All housing and housing grounds must be maintained in a clean, safe and sanitary condition, free from rubbish, debris, waste paper, garbage and other refuse. Grounds must also be well drained and free from depressions where water may stand.

2. All garbage, kitchen waste and rubbish in camp must be deposited in suitable covered metal receptacles which must be emptied daily, or more often if necessary, and the contents burned, buried or disposed of in a manner which is not or does not become offensive or insanitary.

3. Fly-tight metal containers must be provided adjacent to living and sleeping quarters for garbage and other refuse.

4. All drainage from kitchen sinks, toilets, baths or laundry must be carried through a covered drain to a covered cesspool or septic tank, or otherwise disposed of in a manner which is not or does not become offensive or insanitary. Where public sewer systems are available, all building sewers must be connected.

5. An adequate and convenient supply of water of a quality that meets the standards of the water supply regulations in [chapter 445A](#) of NAC must be available at all times for drinking, cooking, bathing and laundry purposes.

6. Fresh and safe drinking water must be provided for all workers. Faucets must be suitably and conveniently located and in no event more than 100 yards distant from workers' living quarters. The use of a common drinking cup or drinking from a common container is prohibited, as is dipping into containers.

7. The water supply must be capable of delivering at least 36 gallons of water per person per day to the campsite.

8. Tanks or other receptacles used for storage of water must be kept in a clean and sanitary condition and must be suitably covered to prevent contamination.

9. Effective measures must be taken to control rats and flies, mosquitoes, bedbugs and other insects or parasites within the camp premises.

10. All buildings or structures of a camp must be maintained and used in accordance with the provisions of state and local regulations governing safety and fire prevention. An adequate water supply for fire fighting should be available during occupancy.

11. No camp may be located on a site which is subject to or may cause extreme traffic or other hazard unless acceptable safeguards are provided.

[Bd. of Health, Labor Camp Reg. § 1, eff. 1-29-59]

New Hampshire Revised Code

<http://www.gencourt.state.nh.us/legislation/2013/HB0482.html>

CHAPTER 48

HB 482-FN – FINAL VERSION

2013 SESSION

13-0760

05/01

HOUSE BILL 482-FN

AN ACT regarding infestation of bed bugs in rental housing.

SPONSORS: Rep. Long, Hills 42

COMMITTEE: Judiciary

ANALYSIS

This bill addresses landlord, tenant, and municipality responsibility for bed bug infestations.

Explanation: Matter added to current law appears in ***bold italics***.

Matter removed from current law appears [~~in brackets and struck through.~~]

Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

13-0760

05/01

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Thirteen

AN ACT regarding infestation of bed bugs in rental housing.

Be it Enacted by the Senate and House of Representatives in General Court convened:

48:1 Declaration of Purpose. The general court hereby finds that bed bug infestations in buildings across New Hampshire cause measurable economic loss to property owners and occupants, as well as significant physical and emotional suffering to occupants. The general court further finds that lack of remediation of bed bug infestations increases the spread of the pest as occupants move from one building to another, and declares

that the public interest requires that reasonable measures be taken to promote prompt and effective remediation.

48:2 New Paragraph; Housing Standards; Minimum Standards; Bed Bugs. Amend RSA 48-A:14 by inserting after paragraph I the following new paragraph:

I-a. The premises are infested by bed bugs and the landlord is not conducting a periodic inspection and remediation program. In this paragraph “remediation” means action taken by the landlord that substantially reduces the presence of bed bugs in a dwelling unit for a period of at least 60 days;

48:3 New Paragraph; Minimum Standards. Amend RSA 48-A:11 by inserting after paragraph II the following new paragraph:

III. Enact, in the sections of their housing codes dealing with infestations of insects, provisions directed at the unique problems posed by infestations of bed bugs, provided that such provisions are no less protective of the residents of dwelling units in which bed bug infestations are found than are the provisions dealing with infestations of other kinds of insects.

48:4 New Paragraph; Prohibited Practices Relative to Landlords and Tenants. Amend RSA 540-A:3 by inserting after paragraph IV the following new paragraph:

IV-a. Entry to make emergency repairs as authorized by RSA 540-A:3, IV includes, but is not limited to, entry by the landlord to evaluate, formulate a plan for remediation of, or engage in emergency remediation of an infestation of rodents or insects, including bed bugs, provided such infestation-related emergency entry took place within 72 hours of the time that the landlord first received notice of the infestation.

48:5 New Paragraphs; Prohibited Practices. Amend RSA 540-A:3 by inserting after paragraph V the following new paragraphs:

V-a. No landlord shall willfully fail to investigate a tenant’s report of an infestation of insects, including bed bugs, or rodents in the tenant’s rented or leased premises, within 7 days of receiving notice of such alleged

infestation from the tenant or a municipal health or housing code authority, or fail to take reasonable measures to remediate an infestation.

V-b. No tenant shall willfully refuse the landlord access to the premises to:

(a) Make emergency repairs as authorized in paragraphs IV and IV-a of this section; and

(b) Evaluate whether bedbugs are present after the landlord has received notice that bed bugs are present in a dwelling unit adjacent to the premises or a dwelling unit that is directly above or below the premises, provided the landlord gives the tenant 48 hours written notice of his or her need to enter the premises to evaluate whether bed bugs are present.

V-c. No tenant shall willfully refuse to comply with reasonable written instructions from a landlord or pest control operator to prepare the dwelling unit for remediation of an infestation of insects or rodents, including bed bugs, provided that such instructions are given to an adult member of the tenant household such that the tenant household has a reasonable opportunity to comply, and in all cases at least 72 hours prior to remediation.

V-d. Notwithstanding any other provision of this chapter, a landlord may only enter a tenant's dwelling unit without the consent of the tenant:

(a) To make emergency repairs pursuant to paragraphs IV and IV-a; or

(b) If the landlord has obtained an order authorizing the entry from a court of competent jurisdiction pursuant to RSA 540-A:4.

48:6 New Section; Infestation of Bed Bugs. Amend RSA 540 by inserting after section 13-d the following new section:

540:13-e Infestation of Bed Bugs: Liability for Costs of Remediation.

I. In this section:

(a) "Infestation of bed bugs" means the presence of bed bugs in real property rented for residential purposes.

(b) "Remediation" means action taken by the landlord that substantially reduces the presence of bed bugs in a dwelling unit for at least 60 days.

II. The landlord shall bear the reasonable costs of remediation of an infestation of bed bugs, but may recover those costs if the tenant is responsible for the infestation.

III. If a landlord alleges that a tenant is responsible for an infestation of bed bugs, the landlord may bill the tenant, in writing, for the reasonable costs of remediation of the infestation of bed bugs in the tenant's own unit. If within 30 days of the completion of remediation the tenant has not paid the landlord for the reasonable costs of remediation, or entered into a repayment agreement with the landlord, such failure shall be considered grounds for eviction for nonpayment of rent pursuant to RSA 540:2, II(a).

IV. In an eviction action for nonpayment of rent based on failure to pay the reasonable costs of remediation, or in an action for damages for the reasonable costs of remediation of an infestation of bed bugs, the landlord shall bear the burden of proving both that the tenant was responsible for the infestation and that the landlord offered the tenant the opportunity to enter into a reasonable repayment agreement.

V. In an eviction action for nonpayment of rent based on failure to pay the reasonable costs of remediation of an infestation of bed bugs, or in an action for damages for the reasonable costs of remediation of an infestation of bed bugs:

(a) Notwithstanding paragraph IV, there shall be a rebuttable presumption that the tenant is responsible for the infestation if during the 6 months prior to the inception of the defendant's tenancy, and throughout the defendant's tenancy, there were no reports, to the landlord or a municipal health or housing authority, of the presence of bed bugs in the defendant's unit or the dwelling units of a multiple-unit building that are adjacent to or directly above or below the defendant's unit, or by previous tenants in a single-family home. For the purposes of this subparagraph, the defendant's own report to the landlord or a municipal health or housing authority shall not be considered a report.

(b) In evaluating which party is responsible for the infestation, the court shall consider the totality of the evidence, including but not limited to the following:

(1) The existence and extent of bed bugs in other units or common areas anywhere in the building prior to and during the tenant's tenancy;

(2) In which unit bed bugs were first discovered;

(3) Whether and to what extent, prior to the infestation that is the subject of the litigation, the landlord undertook remediation efforts in the tenant's unit and the units adjacent to and directly above and below the tenant's unit; and

(4) Whether the tenant had bed bugs in the dwelling unit in which he or she resided immediately prior to moving to the unit that is the subject of the litigation.

48:7 New Subparagraph; Bed Bugs. Amend RSA 540:2, II by inserting after subparagraph (f) the following new subparagraph:

(g) Willful failure by the tenant to prepare the unit for remediation of an infestation of insects or rodents, including bed bugs, after receipt of reasonable written notice of the required preparations and reasonable time to complete them.

48:8 New Subparagraph; Prohibited Practices; Remedies. Amend RSA 540-A:4, IX by inserting after subparagraph (c) the following new subparagraph:

(d) The provisions of subparagraph (a) shall not apply to any violation of 540-A:3, V-a, V-b, or V-c.

48:9 Effective Date. This act shall take effect January 1, 2014.

Approved: June 4, 2013

Effective Date: January 1, 2014

New York Laws

[http://public.leginfo.state.ny.us/LAWSSEAF.cgi?QUERYTYPE=LAWS+&QUERYDATA=\\$\\$ADC27-2018.1\\$\\$@TXADC027-2018.1+&LIST=LAW+&BROWSER=BROWSER+&TOKEN=08327425+&TARGET=VIEW](http://public.leginfo.state.ny.us/LAWSSEAF.cgi?QUERYTYPE=LAWS+&QUERYDATA=$$ADC27-2018.1$$@TXADC027-2018.1+&LIST=LAW+&BROWSER=BROWSER+&TOKEN=08327425+&TARGET=VIEW) (Note: While a state law, this statute revised New York City Administrative Code)

§ 27-2018.1 Notice of bedbug infestation history. a. For housing accommodations subject to this code, an owner shall furnish to each tenant signing a vacancy lease, a notice in a form promulgated or approved by the state division of housing and community renewal that sets forth the property's bedbug infestation history for the previous year regarding the premises rented by the tenant and the building in which the premises are located.

b. Upon written complaint, in a form promulgated or approved by the division of housing and community renewal, by the tenant that he or she was not furnished with a copy of the notice required pursuant to subdivision a of this section, the division of housing and community renewal shall order the owner to furnish the notice.

New York Education Code/Article 19 - MEDICAL AND HEALTH SERVICE

[http://public.leginfo.state.ny.us/LAWSSEAF.cgi?QUERYTYPE=LAWS+&QUERYDATA=\\$\\$EDN920\\$\\$@TXEDN0920+&LIST=SEA2+&BROWSER=BROWSER+&TOKEN=08327425+&TARGET=VIEW](http://public.leginfo.state.ny.us/LAWSSEAF.cgi?QUERYTYPE=LAWS+&QUERYDATA=$$EDN920$$@TXEDN0920+&LIST=SEA2+&BROWSER=BROWSER+&TOKEN=08327425+&TARGET=VIEW)

§ 920. Public schools; infestation of bedbugs (*Cimex lectularius*). 1. In a city school district having a population of one million or more inhabitants, the principal of each public school shall provide immediate notification to parents, persons in parental relation or guardians of potentially affected students attending the school, disclosing a finding relating to the infestation of bedbugs (*Cimex lectularius*) in such school; provided, however, that if pursuant to regulations of the commissioner it is determined that any infestation is contained within a discrete area, the principal may limit such notification to parents, persons in parental relationship or guardians of all potentially affected students within such area, and shall advise the parents'

association of the scope of such notification.

2. Along with the notification required pursuant to subdivision one of this section, the principal of such public school shall also include information regarding proper procedures to prevent further infestations at the school and to prevent the transfer of bedbugs from the school to the residences of students. Such information shall be developed by the board of education in consultation with other city agencies and shall be available in various languages as deemed necessary.

3. The principal shall ensure that the bedbug infestation at the school is properly addressed in the most effective and safe manner.

Ohio Revised Code

<http://codes.ohio.gov/orc/3731.13>

Title [37] XXXVII HEALTH - SAFETY - MORALS

Chapter 3731: HOTELS

3731.13 Bedding, floors, and carpets must be kept sanitary.

All bedding used in any hotel must be thoroughly aired, disinfected, and kept clean. No bedding which is infested with vermin or bedbugs shall be used on any bed in any hotel. All floors, carpets, and equipment in hotels, and all walls and ceilings shall be kept in sanitary condition.

Oregon Revised Code

<http://landru.leg.state.or.us/13reg/measure/hb2100.dir/hb2131.en.html>

77th OREGON LEGISLATIVE ASSEMBLY--2013 Regular Session

Enrolled

House Bill 2131

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of House Interim Committee on Health Care)

CHAPTER

AN ACT

Relating to the confidentiality of pest control reports; and declaring an emergency.

Be It Enacted by the People of the State of Oregon:

SECTION 1. { + (1) As used in this section:

(a) 'Bedbug' means a member of the Cimicidae family of parasitic insects.

(b) 'Public health authority' means:

(A) A local public health authority or health district; or

(B) The Oregon Health Authority.

(2) The following information reported by pest control operators to a public health authority must be maintained confidentially and is not subject to disclosure under ORS 192.410 to 192.505:

(a) The location of a site where a pesticide intended to prevent, destroy, repel or mitigate an infestation of bedbugs has been applied or is to be applied;

(b) The identity of any person who owns, rents or leases property at the site described in paragraph (a) of this subsection; and

(c) Any information describing or pertaining to the infestation or suspected infestation at the site described in paragraph (a) of this subsection.

(3) Nothing in this section prevents a public health authority from publishing statistical compilations or reports relating to reportable disease investigations if the compilations or reports do not identify individual cases or sources of information. + }

SECTION 2. { + This 2013 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2013 Act takes effect on its

passage. + }

Enrolled House Bill 2131 (HB 2131-A)

Passed by House February 13, 2013

.....
Ramona J. Line, Chief Clerk of House

.....
Tina Kotek, Speaker of House

Passed by Senate March 25, 2013

.....
Peter Courtney, President of Senate

Enrolled House Bill 2131 (HB 2131-A)

Received by Governor:

.....M.,....., 2013

Approved:

.....M.,....., 2013

.....
John Kitzhaber, Governor

Filed in Office of Secretary of State:

.....M.,....., 2013

.....
Kate Brown, Secretary of State

**Oregon Administrative Code-Oregon Health Authority/Public Health
Division/Chapter 333-Division 30/Organizational Camp Rules**

http://arcweb.sos.state.or.us/pages/rules/oars_300/oar_333/333_030.html

333-030-0070

Insect and Rodent Control

- (1) The grounds, buildings and structures used or intended for human habitation must be kept clean and maintained to prevent harborage and infestation of insects, rodents and vermin.
- (2) The camp health director, or other person knowledgeable in pest identification, must check the sleeping areas and other harborages for bedbugs whenever there are complaints or possible bites.
- (3) A license holder may not begin treatment for insects, rodents and vermin without first consulting with a currently certified pest management professional (PMP). A license holder may contract with a certified PMP for pest management services.
- (4) During the season when flies, mosquitoes and other insects are prevalent, all openings into the outer air of permanent kitchens and dining room must be effectively screened, unless other effective means are provided to prevent the entrance of insects or rodents. Where screens are used, there must be not less than 16 meshes per lineal inch, and all screen doors must be equipped with a self-closing device.
- (5) For insecticide and rodenticide extermination methods, only pesticides registered with the Environmental Protection Agency and the state Department of Agriculture can be used. Pesticides must be applied in accordance with the directions on the labels and must be handled and stored as to avoid health hazards.

(6) Poisons, chemicals, rodenticides, insecticides, pesticides, herbicides and other toxic materials must be properly labeled, or in the original containers, and stored in locked areas not accessible to campers separate from all food service, food storage and food preparation areas, sleeping areas and linens. Except that insecticides, rodenticides and cleaning and sanitizing materials necessary for maintaining the food service facility may be present in the food service facility, but must be stored separately from cleaning and sanitizing materials. Both must be stored in cabinets or compartments used for no other purpose and must not be stored above or intermingled with food, food equipment and dishes or utensils. Detergents and sanitizers may be conveniently stored at warewashing facilities.

Stat. Auth.: ORS 446.330

Stats. Implemented: ORS 446.330

Hist.: HD 25-1981, f. & ef. 11-25-81; HD 7-1996, f. & cert. ef. 12-10-96; PH 9-2007, f. & cert. ef. 7-13-07; PH 2-2013, f. & cert. ef. 1-25-13

Pennsylvania Administrative Code-Title 7 Agriculture-Chapter 82 Seasonal Farm Labor Camps

<http://www.pacode.com/secure/data/007/chapter82/s82.15.html>

§ 82.15. Insect and rodent control.

(a) Effective control measures and environmental changes approved by the Department shall be taken to prevent or eliminate infestation by and harborage of animal or insect vectors to include rodents, flies, mosquitoes, bedbugs, cockroaches, lice and other pestiferous insects.

(b) Openable windows and door openings in rooms used for living, dining, cooking, bathing, toilet, hand washing or sleeping purposes shall be provided and maintained with insect screening of at least 16 mesh materials. Screen doors shall be equipped with self-closing devices. Solid doors with self-closing devices may be used in lieu thereof if approved by the Department.

(c) Agricultural pesticides and toxic chemicals may not be stored in the housing area.

Authority

The provisions of this § 82.15 issued under sections 301 and 603 of the Seasonal Farm Labor Act (43 P. S. §§ 1301.301 and 1301.603).

Source

The provisions of this § 82.15 adopted September 28, 1973, effective September 29, 1973, 3 Pa.B. 2178; amended March 28, 1975, effective April 14, 1975, 5 Pa.B. 626; amended January 2, 1981, effective January 3, 1981, 11 Pa.B. 11. Immediately preceding text appears at serial page (19736).

South Dakota Administrative Code/44:02:08-Vacation homes.

<http://legis.state.sd.us/rules/DisplayRule.aspx?Rule=44:02:08:05>

44:02:08:05. Vermin control. A vacation home establishment must be constructed, equipped, and maintained to prevent the entrance, harborage, or breeding of flies, roaches, rats, mice, bed bugs, and all other insects and vermin. Specific means necessary for the elimination of such pests, such as cleaning, renovation, or fumigation, must be used. The department may require the facility to hire a professional exterminator to exterminate pests under the following conditions:

(1) The infestation is so extensive that it is unlikely a nonprofessional can eradicate the pests effectively;

(2) The chosen method of extermination can only be carried out by a licensed professional exterminator; or

(3) The department finds that an establishment has not been brought into compliance with a prior order to rid the establishment of pests.

Regularly scheduled professional extermination services shall be required following the determination of an excessive pest infestation by the department.

Source: 34 SDR 321, effective June 30, 2008.

General Authority: SDCL 34-1-17, 34-18-22.

Law Implemented: SDCL 34-18-22, 34-18-24.

Texas Revised Code/Health and Safety Code-Chapter 341-Minimum Standards of Sanitation and Health Protection Standards

<http://www.statutes.legis.state.tx.us/DocViewer.aspx?K2DocKey=odbc%3a%2f%2fTCAS%2fASUPUBLIC.dbo.vwTCAS%2fHS%2fS%2fHS.341%40TCAS2&QueryText=bedbugs&HighlightType=1>

SUBCHAPTER B. NUISANCES AND GENERAL SANITATION

Sec. 341.011. NUISANCE. Each of the following is a public health nuisance:

(10) the presence of ectoparasites, including **bedbugs**, lice, and mites, suspected to be disease carriers in a place in which sleeping accommodations are offered to the public;

Sec. 341.012. ABATEMENT OF NUISANCE. (a) A person shall abate a public health nuisance existing in or on a place the person possesses as soon as the person knows that the nuisance exists.

(b) A local health authority who receives information and proof that a public health nuisance exists in the local health authority's jurisdiction shall issue a written notice ordering the abatement of the nuisance to any person responsible for the nuisance. The local health authority shall at the same time send a copy of the notice to the local municipal, county, or district attorney.

(c) The notice must specify the nature of the public health nuisance and designate a reasonable time within which the nuisance must be abated.

(d) If the public health nuisance is not abated within the time specified by the notice, the local health authority shall notify the prosecuting attorney who received the copy of the original notice. The prosecuting attorney:

(1) shall immediately institute proceedings to abate the public health nuisance; or

(2) request the attorney general to institute the proceedings or provide assistance in the prosecution of the proceedings, including participation as an assistant prosecutor when appointed by the prosecuting attorney.

Acts 1989, 71st Leg., ch. 678, Sec. 1, eff. Sept. 1, 1989. Amended by Acts 1993, 73rd Leg., ch. 648, Sec. 1, eff. Sept. 1, 1993.

Utah Administrative Code

<http://www.rules.utah.gov/publicat/code/r392/r392-200.htm>

Rule R392-200. Design, Construction, Operation, Sanitation, and Safety of Schools.

R392-200-5. Sanitary Facilities and Controls.

K. Insect and Rodent Control

1. General. Effective measures intended to minimize the presence of rodents, flies, cockroaches, bedbugs, lice, or other vermin on the premises shall be utilized. The premises shall be maintained so that propagation, harborage, or feeding of vermin is prevented.

2. Openings. Openings to the outside shall be effectively protected against the entrance of insects, rodents, and other animals. Screens for windows, doors, skylights, intake and exhaust air ducts, and other openings to the outside shall be tight fitting and free of breaks. Screening material shall not be less than sixteen mesh to the inch.

3. Pesticide Application. Restricted-use pesticides shall not be used within buildings or on the grounds unless formulated and dispensed by a pesticide applicator certified by the Utah State Department of Agriculture. All labeled directions for use shall be specifically followed, and products without label directions are prohibited from use.

West Virginia Revised Code

CHAPTER 16. PUBLIC HEALTH.

ARTICLE 6. HOTELS AND RESTAURANTS.

<http://www.legis.state.wv.us/WVCODE/16/code/WVC%2016%20%20-%20%206%20%20-%20%2016%20%20.htm>

§16-6-16. Bedbugs.

In every hotel, any room infected with vermin or bedbugs shall be fumigated, disinfected and renovated until said vermin or bedbugs are extirpated.

Wisconsin Administrative Code-Chapter DHS 190-Institution Sanitation

http://docs.legis.wisconsin.gov/code/admin_code/dhs/110/190/08/5/b

(5) PEST CONTROL.

(b) Eradication. All means necessary for the elimination of rodents, flies, roaches, bedbugs, fleas, lice and other household pests shall be used. Extreme care shall be taken in the use of poison to prevent accidental poisoning of domestic animals and people.