



Disqualifying Records

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Kansas Department of Agriculture

Pesticide and Fertilizer Program

Kansas Pesticide Law

Pursuant to K.S.A. 74-120 and Executive Order 18-13, the Kansas Department of Agriculture, Pesticide and Fertilizer Program provides the following information pertaining to specific civil and criminal records that could disqualify an applicant from receiving a license, certification, registration or permit issued by the Department.

The Kansas Pesticide Law, specifically K.S.A. 2-2449, authorizes the Secretary to deny, suspend, revoke or modify any license, registration, permit or certificate issued by the Department pursuant to the Act. The list below identifies various violations which may result in the denial of any license, certification, registration or permit issued by the Department. License categories that are subject to the list below include the following: pesticide business license, government agency license, commercial pesticide applicator certification, private pesticide applicator certification or pesticide dealer license.

With respect to felony convictions or convictions of violations of the Kansas Pesticide Law, an investigation to determine if a person has been sufficiently rehabilitated to warrant the public trust will be conducted. If you have questions regarding licensure, you should review the Kansas Pesticide Law, K.S.A. 2-2438a *et seq.* or contact the Pesticide and Fertilizer Program.

Additionally, you may contact the Kansas Department of Agriculture and petition for an informal written advisory opinion concerning whether your civil or criminal records will disqualify you from receiving a license, certification, registration or permit. See the Petition for Informal Advisory Opinion page for instructions on how to petition the Kansas Department of Agriculture for an informal written advisory opinion.

Statutory Reference	Violation
K.S.A. 2-2438a <i>et seq.</i>	A violation of the Kansas Pesticide Law and amendments thereto
K.S.A. 21-5301	Attempt (felony conviction only)
K.S.A. 21-5302	Conspiracy (felony conviction only)
K.S.A. 21-5303	Criminal solicitation (felony conviction only)
K.S.A. 21-5401	Capital murder
K.S.A. 21-5402	Murder in the first degree
K.S.A. 21-5403	Murder in the second degree
K.S.A. 21-5404	Voluntary manslaughter

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K.S.A. 21-5405	Involuntary manslaughter
K.S.A. 21-5408	Kidnapping; aggravated kidnapping
K.S.A. 21-5409	Interference with parental custody; aggravated interference with parental custody (felony conviction only)
K.S.A. 21-5412	Assault; aggravated assault; assault of a law enforcement officer; aggravated assault of a law enforcement officer (felony conviction only)
K.S.A. 21-5413	Battery; aggravated battery; battery against certain persons; aggravated battery against certain persons (felony conviction only)
K.S.A. 21-5414	Domestic battery; aggravated domestic battery (felony conviction only)
K.S.A. 21-5415	Criminal threat; aggravated criminal threat
K.S.A. 21-5417	Mistreatment of a dependent adult; mistreatment of an elder person (felony conviction only)
K.S.A. 21-5420	Robbery; aggravated robbery
K.S.A. 21-5421	Terrorism
K.S.A. 21-5422	Illegal use of weapons of mass destruction
K.S.A. 21-5423	Furtherance of terrorism or illegal use of weapons of mass destruction
K.S.A. 21-5424	Exposing another to a life threatening communicable disease
K.S.A. 21-5426	Human trafficking; aggravated human trafficking
K.S.A. 21-5427	Stalking (felony conviction only)
K.S.A. 21-5428	Blackmail
K.S.A. 21-5430	Distribution of a controlled substance causing great bodily harm or death
K.S.A. 21-5431	Female genital mutilation
K.S.A. 21-5503	Rape
K.S.A. 21-5504	Criminal sodomy; aggravated criminal sodomy (felony conviction only)
K.S.A. 21-5505	Sexual battery; aggravated sexual battery (felony conviction only)
K.S.A. 21-5506	Indecent liberties with a child; aggravated indecent liberties with a child
K.S.A. 21-5507	Unlawful voluntary sexual relations
K.S.A. 21-5508	Indecent solicitation of a child; aggravated indecent solicitation of a child
K.S.A. 21-5509	Electronic solicitation
K.S.A. 21-5510	Sexual exploitation of a child
K.S.A. 21-5512	Unlawful sexual relations
K.S.A. 21-5513	Lewd and lascivious behavior (felony conviction only)
K.S.A. 21-5514	Internet trading in child pornography; aggravated internet trading in child pornography
K.S.A. 21-5601	Endangering a child; aggravated endangering a child (felony conviction only)
K.S.A. 21-5602	Abuse of a child
K.S.A. 21-5603	Contributing to a child's misconduct or deprivation

	(felony conviction only)
K.S.A. 21-5604	Incest; aggravated incest
K.S.A. 21-5605	Abandonment of a child; aggravated abandonment of a child
K.S.A. 21-5607	Furnishing alcoholic liquor or cereal malt beverage to a minor; furnishing alcoholic beverage to a minor for illicit purposes (felony conviction only)
K.S.A. 21-5611	Unlawful transmission of a visual depiction of a child (felony conviction only)
K.S.A. 21-5612	Promoting travel for child exploitation
K.S.A. 21-5703	Unlawful manufacturing of controlled substances
K.S.A. 21-5705	Unlawful cultivation or distribution of controlled substances (felony conviction only)
K.S.A. 21-5706	Unlawful possession of controlled substances (felony conviction only)
K.S.A. 21-5707	Unlawful manufacture, distribution, cultivation or possession of controlled substances using a communication facility
K.S.A. 21-5708	Unlawfully obtaining or selling a prescription-only drug (felony conviction only)
K.S.A. 21-5709	Unlawful possession of certain drug precursors and drug paraphernalia (felony conviction only)
K.S.A. 21-5710	Unlawful distribution of certain drug precursors and drug paraphernalia (felony conviction only)
K.S.A. 21-5713	Unlawful distribution or possession of a simulated controlled substance (felony conviction only)
K.S.A. 21-5714	Unlawful representation that noncontrolled substance is controlled substance (felony conviction only)
K.S.A. 21-5801	Theft (felony conviction only)
K.S.A. 21-5802	Theft of property lost, mislaid or delivered by mistake (felony conviction only)
K.S.A. 21-5803	Criminal deprivation of property (felony conviction only)
K.S.A. 21-5805	Unlawful acts involving theft detection shielding devices
K.S.A. 21-5806	Unlawful use of recordings (felony conviction only)
K.S.A. 21-5807	Burglary; aggravated burglary
K.S.A. 21-5809	Trespassing on railroad property (felony conviction only)
K.S.A. 21-5812	Arson; aggravated arson
K.S.A. 21-5813	Criminal damage to property; aggravated criminal damage to property (felony conviction only)
K.S.A. 21-5814	Criminal use of an explosive
K.S.A. 21-5823	Forgery
K.S.A. 21-5824	Making false information
K.S.A. 21-5825	Counterfeiting (felony conviction only)

K.S.A. 21-5826	Destroying a written instrument
K.S.A. 21-5828	Criminal use of a financial card (felony conviction only)
K.S.A. 21-5830	Impairing a security interest (felony conviction only)
K.S.A. 21-5831	Warehouse receipt fraud
K.S.A. 21-5837	Adding dockage or foreign material to grain
K.S.A. 21-5839	Unlawful acts concerning computers (felony conviction only)
K.S.A. 21-5840	Counterfeiting Currency
K.S.A. 21-5901	Treason
K.S.A. 21-5902	Sedition
K.S.A. 21-5903	Perjury
K.S.A. 21-5904	Interference with law enforcement (felony conviction only)
K.S.A. 21-5905	Interference with the judicial process (felony conviction only)
K.S.A. 21-5909	Intimidation of a witness or victim; aggravated intimidation of a witness or victim (felony conviction only)
K.S.A. 21-5911	Escape from custody; aggravated escape from custody (felony conviction only)
K.S.A. 21-5912	Aiding escape
K.S.A. 21-5913	Obstructing apprehension or prosecution (felony conviction only)
K.S.A. 21-5914	Traffic in contraband in a correctional institution or care and treatment facility
K.S.A. 21-5915	Failure to appear; aggravated failure to appear (felony conviction only)
K.S.A. 21-5917	False impersonation; aggravated false impersonation (felony conviction only)
K.S.A. 21-5918	Dealing in false identification documents; vital records identity fraud
K.S.A. 21-5922	Interference with the conduct of public business in public buildings; aggravated interference with the conduct of public business (felony conviction only)
K.S.A. 21-5923	Unlawful disclosure of authorized interception of wire, oral or electronic communications
K.S.A. 21-5924	Violation of a protective order; extended protective orders; penalties (felony conviction only)
K.S.A. 21-5925 <i>et seq.</i>	A felony conviction of the Kansas Medicaid Fraud Control Act
K.S.A. 21-5935	Failure to register an aircraft
K.S.A. 21-5936	Fraudulent aircraft registration
K.S.A. 21-5937	Fraudulent Acts Relating to Aircraft Identification numbers
K.S.A. 21-5938	Failure to report disappearance or death of child; penalties (felony conviction only)
K.S.A. 21-5939	Unlawful Acts Involving an Automated Sales Suppression Device
K.S.A. 21-6001	Bribery
K.S.A. 21-6002	Official misconduct (felony conviction only)
K.S.A. 21-6101	Breach of privacy

	(felony conviction only)
K.S.A. 21-6107	Identity theft; identity fraud
K.S.A. 21-6108	Unlawful possession of scanning device or reencoder
K.S.A. 21-6201	Riot; incitement to riot (felony conviction only)
K.S.A. 21-6205	Criminal desecration (felony conviction only)
K.S.A. 21-6207	Unlawful request for emergency service assistance (felony conviction only)
K.S.A. 21-6301	Criminal use of weapons (felony conviction only)
K.S.A. 21-6302	Criminal carrying of a weapon (felony conviction only)
K.S.A. 21-6304	Criminal possession of a firearm by a convicted felon
K.S.A. 21-6305	Aggravated weapons violation by a convicted felon
K.S.A. 21-6308	Criminal discharge of a firearm (felony conviction only)
K.S.A. 21-6310	Unlawful endangerment
K.S.A. 21-6312	Criminal possession of explosives; criminal disposal of explosives; carrying concealed explosives (felony conviction only)
K.S.A. 21-6314	Recruiting criminal street gang membership
K.S.A. 21-6315	Criminal street gang intimidation
K.S.A. 21-6317	Endangering the food supply; aggravated endangering the food supply (felony conviction only)
K.S.A. 21-6327 <i>et seq.</i>	A felony conviction of the Kansas Racketeer Influenced and Corrupt Organization Act
K.S.A. 21-6401	Promoting obscenity; promoting obscenity to minors (felony conviction only)
K.S.A. 21-6412	Cruelty to animals (felony conviction only)
K.S.A. 21-6416	Harming or killing certain dogs
K.S.A. 21-6422	Commercial sexual exploitation of a child
K.S.A. 21-6501	Extortion
K.S.A. 21-6506	Commercial bribery
K.S.A. 22-4901 <i>et seq.</i>	A felony conviction of the Kansas Offender Registration Act
Felony convictions of any law of the United States that is in substantial conformity with the offenses identified above	
K.S.A. 2-2438a <i>et seq.</i>	Failure to comply with any provision or requirement of the Kansas Pesticide Law, or any rule and regulation adopted thereunder
Failure to comply with any of the laws or rules and regulations of any other state or the United States relating to licensing or other provisions concerning pesticide use or control	