



**THE ATTORNEY GENERAL  
OF TEXAS**

JOHN L. HILL,  
ATTORNEY GENERAL

AUSTIN, TEXAS 78711

Oct. 25, 1976

The Honorable Charlie Chapman  
Executive Director  
Structural Pest Control Board  
313 East Anderson Lane  
Austin, Texas 78752

Opinion No. H-888

Re: Security required of  
Structural Pest Control  
Business Licenses.

Dear Mr. Chapman:

You have asked about the sufficiency of certificates of insurance submitted by license applicants pursuant to section 7A of the Structural Pest Control Act, article 135b-6, V.T.C.S. That section reads:

Sec. 7A. (a) After February 29, 1976, the board may not issue or renew a Structural Pest Control Business License until the license applicant:

- (1) files with the board a policy or contract of insurance approved, as to sufficiency, by the board in an amount of not less than \$30,000, insuring him against liability for damages occurring as a result of operations performed in the course of the business of structural pest control to premises under his care, custody, or control; or
- (2) files with the board a certificate or other evidence from an insurance company, in the case of an applicant who has an unexpired and uncanceled insurance policy or contract on file with the board, stating that the policy or contract insures the applicant against liability for acts and damage as described in Subdivision (1) of this section and that the amount of coverage is not less than \$30,000.

(b) The policy or contract shall be maintained at all times in an amount not less than \$30,000. Failure to renew the policy or contract or maintain it in the required amount is a ground for suspension or revocation of a Structural Pest Control Business License.

Your letter reads:

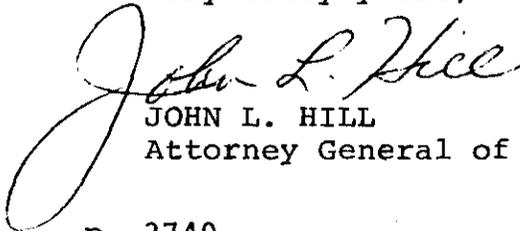
Many licensees have submitted certificates indicating that they possess \$25,000 (twenty-five thousand dollars) of insurance against liability for damages to persons and \$5,000 (five thousand dollars) for damages to property. The Board has instructed me to request your opinion as to whether or not this combination, which equals \$30,000 (thirty thousand dollars), meets the insurance requirement provided in the statute.

When the law is expressed in plain and unambiguous language and its meaning is clear and obvious there is no room for statutory construction. 53 Tex. Jur.2d, Statutes § 123. Here, the statute requires "a policy or contract of insurance . . . in an amount of not less than \$30,000 . . . against liability for damages occurring . . . to premises under his care, custody, or control . . . ." In our opinion, this statute is unambiguous and a certificate of insurance indicating coverage of only \$5,000 for property damage does not meet the statutory requirement.

S U M M A R Y

The Structural Pest Control Board may not issue a Structural Pest Control Business license or renew such a license if the amount of property damage liability coverage shown by the certificate presented by the applicant is less than \$30,000.

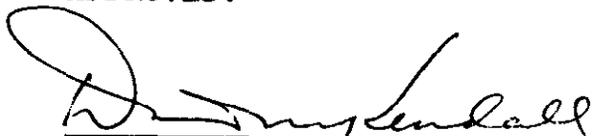
Very truly yours,

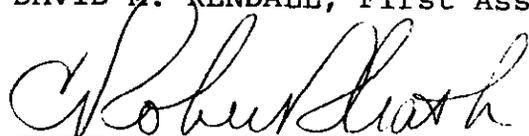


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APPROVED:

  
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DAVID M. KENDALL, First Assistant

  
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C. ROBERT HEATH, Chairman  
Opinion Committee

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