
This act summary is provided for the convenience of the public and members of the General Assembly. It is intended to provide a general summary of the act and may not be exhaustive. It has been prepared by the staff of the Office of Legislative Counsel without input from members of the General Assembly. It is not intended to aid in the interpretation of legislation or to serve as a source of legislative intent.

Act No. 182 (H.706). An act relating to banning the use of neonicotinoid pesticides

Subjects: Agriculture; pesticides; neonicotinoid pesticides; prohibition on use

The act prohibits a person, beginning January 1, 2029, from selling, offering for sale or use, distributing, or using any neonicotinoid treated article seed for soybeans or for any crop in the cereal grains crop group. The Agency of Agriculture, Food and Markets (AAFM) may issue a written exemption order to suspend the prohibition on use of neonicotinoid treated article seed for a period of not more than one year if the person seeking the exemption order completes integrated pest management training, submits to AAFM a completed pest risk assessment report; and any seeds authorized for use under the order are planted only on property identified in the pest risk assessment report. An exemption order shall specify the types of neonicotinoid treated article seeds to which the order applies, the date on which the order takes effect, and the order's duration. An exemption order may establish restrictions on the use of neonicotinoid treated article seeds to minimize harm to pollinator populations, bird populations, ecosystem health, and public health or establish other restrictions related to the use of neonicotinoid treated article seeds that AAFM considers necessary.

The act also prohibits a person, beginning July 1, 2025, from using neonicotinoid pesticides for the following uses: outdoor application of neonicotinoid pesticides to any crop during bloom; outdoor application of neonicotinoid pesticides to soybeans or any crop in the cereal grains crop group; outdoor application of neonicotinoid pesticides to crops in the leafy vegetables, brassica, bulb vegetables, and similar crop groups; and the application of neonicotinoid pesticides to ornamental plants. AAFM may issue an exemption order to suspend a prohibition for a period of not more than one year if: a valid environmental emergency or agricultural emergency, as those terms are defined by the act, exists; the pesticide would be effective in addressing the environmental emergency or the agricultural emergency; and no other, less harmful pesticide or pest management practice would be effective in addressing the environmental emergency or the agricultural emergency. The exemption order shall specify the neonicotinoid pesticides, uses, and crops, or plants to which the order applies; the effective date of the order; and the order's duration.

The act includes a contingent repeal on the prohibition on the use of neonicotinoid treated seeds or on the use of neonicotinoid pesticides if similar provisions in New York are repealed. Likewise, the effective dates provide that the prohibitions on the use of neonicotinoid treated seeds or on the use of neonicotinoid pesticides will not go into effect if similar provisions in New York are not in effect and would only go into effect when the New York provisions become effective.

Multiple effective dates, beginning on June 17, 2024