

# HOUSE . . . . . No. 1041

## The Commonwealth of Massachusetts

PRESENTED BY:

***Lindsay N. Sabadosa***

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act to protect pollinators and public health.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Lindsay N. Sabadosa</i>	<i>1st Hampshire</i>	<i>1/16/2025</i>
<i>Erika Uytterhoeven</i>	<i>27th Middlesex</i>	<i>2/19/2025</i>
<i>Samantha Montaño</i>	<i>15th Suffolk</i>	<i>2/20/2025</i>
<i>David F. DeCoste</i>	<i>5th Plymouth</i>	<i>3/27/2025</i>
<i>Danillo A. Sena</i>	<i>37th Middlesex</i>	<i>4/9/2025</i>
<i>Natalie M. Higgins</i>	<i>4th Worcester</i>	<i>4/12/2025</i>
<i>Marjorie C. Decker</i>	<i>25th Middlesex</i>	<i>9/11/2025</i>
<i>Susannah M. Whipps</i>	<i>2nd Franklin</i>	<i>10/2/2025</i>
<i>Margaret R. Scarsdale</i>	<i>1st Middlesex</i>	<i>10/7/2025</i>
<i>Steven Owens</i>	<i>29th Middlesex</i>	<i>10/7/2025</i>
<i>Sean Garballey</i>	<i>23rd Middlesex</i>	<i>10/8/2025</i>
<i>Brian W. Murray</i>	<i>10th Worcester</i>	<i>10/14/2025</i>
<i>Patrick Joseph Kearney</i>	<i>4th Plymouth</i>	<i>10/21/2025</i>
<i>Kristin E. Kassner</i>	<i>2nd Essex</i>	<i>10/28/2025</i>
<i>James Arciero</i>	<i>2nd Middlesex</i>	<i>10/28/2025</i>
<i>Carmine Lawrence Gentile</i>	<i>13th Middlesex</i>	<i>11/4/2025</i>
<i>David M. Rogers</i>	<i>24th Middlesex</i>	<i>1/13/2026</i>

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By Representative Sabadosa of Northampton, a petition (accompanied by bill, House, No. 1041) of Lindsay N. Sabadosa, Erika Uyterhoeven and Samantha Montañó relative to the use and protection of pollinators by further regulating the spraying, release, deposit or application of a neonicotinoid on certain agricultural land. Environment and Natural Resources.

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**The Commonwealth of Massachusetts**

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**In the One Hundred and Ninety-Fourth General Court  
(2025-2026)**  
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An Act to protect pollinators and public health.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 SECTION 1. Section 2 of chapter 132B of the General Laws is hereby amended by  
2 inserting after the definition of “Nematode” the following definition:-

3 “Neonicotinoid,” a pesticide belonging to the neonicotinoid class of chemicals which act  
4 selectively on nicotine acetylcholine receptors, including but not limited to, imidacloprid,  
5 acetamiprid, clothianidin, dinotefuran, nithiazine, nitenpyram, thiacloprid, and thiamethoxam,  
6 and any other pesticide identified as a neonicotinoid by the United States Environmental  
7 Protection Agency or the department.

8 SECTION 2. Said chapter 132B, as so appearing, is hereby amended by inserting after  
9 section 16 the following section:-

10 Section 17. (a) Beginning on January 1, 2029, no person shall distribute, sell, or offer for  
11 sale any agricultural seed for corn, wheat, or soybean if such seed is treated with a neonicotinoid  
12 unless a waiver is issued by the department to the user of such seed pursuant to this section.

13 (b) Beginning on January 1, 2029, no person without a waiver issued by the department  
14 pursuant to this section shall use any agricultural seed for corn, wheat, or soybean if such seed is  
15 treated with a neonicotinoid.

16 (c) The department may issue a waiver to allow the use of agricultural seeds treated with  
17 a neonicotinoid for the production of agricultural crops only upon application by a person who  
18 has completed an integrated pest management training, conducted a pest risk assessment, and  
19 submitted to the department a pest risk assessment report. The department may issue a waiver if,  
20 after review of the pest risk assessment report, the department determines the following: (i) that  
21 the occurrence of a pest presents a significant risk of imminent harm, injury, or loss to  
22 agricultural crops; (ii) that the use of agricultural seeds treated with a neonicotinoid will be  
23 effective in addressing the pest risk; (iii) that the use of agricultural seeds treated with a  
24 neonicotinoid will not cause unreasonable adverse effects on the environment, including on non-  
25 target organisms, surface water quality, and groundwater quality; and (iv) that no other less  
26 harmful seed treatment, pesticide, or pest management practice will be effective in addressing  
27 the pest risk.

28 (d) A waiver issued pursuant to this section shall: (i) provide the basis for the  
29 determinations made by the department pursuant to subsection (c) of this section; (ii) specify the  
30 waiver's geographic scope, which may include only properties identified in the pest risk  
31 assessment report; and (iii) specify the waiver's start date and duration, not to exceed one year.

32           (e) A person issued a waiver pursuant to this section for the use of agricultural seeds  
33 treated with a neonicotinoid shall maintain copies of related pest risk assessment reports and  
34 records of the use of agricultural seeds treated with a neonicotinoid, include the date and location  
35 of use. Such copies and records shall be subject to review upon request by the department.

36           (f) The department, in consultation with the board, may establish regulations for issuing  
37 waivers pursuant to this section. Such regulations may prescribe application fees.

38           (g) Waivers issued pursuant to this section shall be public records. The department shall  
39 make such waivers publicly available online.