

HOUSE No.

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>1/14/2025</i>

HOUSE No.

[Pin Slip]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Fourth General Court
(2025-2026)**

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.