

# SENATE . . . . . No. 2746

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## The Commonwealth of Massachusetts

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

SENATE, December 4, 2025.

The committee on Environment and Natural Resources to whom was referred the petition (accompanied by bill, Senate, No. 587) of James B. Eldridge for legislation to protect pollinators and public health by prohibiting the use of neonicotinoid pesticides, report the accompanying bill (Senate, No. 2746).

For the committee,  
Rebecca L. Rausch

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In the One Hundred and Ninety-Fourth General Court  
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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, as appearing in the 2022  
2   official edition, is hereby amended by inserting after the definition of “Nematode” the following  
3   definition:-

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

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

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

(b) No person without a waiver issued by the department pursuant to this section shall use any agricultural seed for corn, wheat or soybean if such seed is treated with a neonicotinoid.

(c) The department may issue a waiver to allow the use of agricultural seeds treated with a neonicotinoid for the production of agricultural crops only upon application by a person who has completed an integrated pest management training, in a form approved by the commissioner, conducted a pest risk assessment, and submitted to the department a pest risk assessment report. The department may issue a waiver if, after review of the pest risk assessment report, the department determines that: (i) the occurrence of a pest presents a significant risk of imminent harm, injury, or loss to agricultural crops; (ii) the use of agricultural seeds treated with a neonicotinoid will be effective in addressing the pest risk; (iii) the use of agricultural seeds treated with a neonicotinoid will not cause more than de minimis adverse effects on the environment, including but not limited to adverse effects on non-target organisms, surface water quality, and groundwater quality; and (iv) no other less harmful seed treatment, pesticide, or pest management practice will be effective in addressing the pest risk.

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

(e) A person issued a waiver pursuant to this section for the use of agricultural seeds treated with a neonicotinoid shall maintain copies of related pest risk assessment reports and records of the use of agricultural seeds treated with a neonicotinoid, including but not limited to

the date and location of use. Such copies and records shall be subject to review upon request by the department.

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

(g) Waivers issued pursuant to this section shall be public records. The department shall make such waivers publicly available online. Annually, not later than January 31, the department shall submit a report to the joint committee on environment and natural resources, the joint committee on agriculture and the clerks of the senate and house of representatives a report on the number of waivers granted in the preceding calendar year.

SECTION 3. This act shall take effect on January 1, 2029.