

SENATE No.

The Commonwealth of Massachusetts

PRESENTED BY:

James B. Eldridge

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:

James B. Eldridge

DISTRICT/ADDRESS:

Middlesex and Worcester

SENATE 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, 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 is hereby amended by inserting after section 16 the
10 following section:-

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

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

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

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

33 (e) A person issued a waiver pursuant to this section for the use of agricultural seeds
34 treated with a neonicotinoid shall maintain copies of related pest risk assessment reports and
35 records of the use of agricultural seeds treated with a neonicotinoid, including the date and

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

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

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