

SENATE BILL REPORT

SB 5972

As of January 9, 2024

Title: An act relating to the use of neonicotinoid pesticides.

Brief Description: Concerning the use of neonicotinoid pesticides.

Sponsors: Senators Liias and Van De Wege.

Brief History:

Committee Activity: Agriculture, Water, Natural Resources & Parks: 1/11/24.

Brief Summary of Bill

- Prohibits a person from using neonicotinoid pesticides on outdoor plants beginning January 1, 2026, with certain exceptions.
- Requires neonicotinoid pesticides to be designated as state restricted use pesticides if the pesticide label contains certain information.
- Allows the Director of the Washington State Department of Agriculture to authorize the use of neonicotinoid pesticides upon identification of an urgent pest threat.

SENATE COMMITTEE ON AGRICULTURE, WATER, NATURAL RESOURCES & PARKS

Staff: Karen Epps (786-7424)

Background: Pesticide Control Act and Pesticide Application Act. The Washington State Department of Agriculture (WSDA) administers the state Pesticide Control Act and the state Pesticide Application Act. Its activities include adopting rules requiring the registration and restricted use of pesticides, testing and certifying pesticide applicators, issuing handler and worker pesticide training documentation, and providing technical assistance to pesticide applicators and workers.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

All individuals who are licensed, or who are required to be licensed as pesticide applicators, pesticide operators, structural pest inspectors, and pest control consultants, must be certified through examination in the area in which they operate or consult. To be certified, a person must attain a passing score of at least 70 percent on a certification examination.

Examinations are administered by WSDA, and WSDA collects a fee from the applicant for each exam at an amount set in rule. License classifications address the control of a variety of pests, including insects and diseases, pest animals in agricultural situations, aquatic pests, both generally and in irrigation systems, and weeds.

Summary of Bill: Beginning January 1, 2026, a person may not use neonicotinoid pesticides on outdoor plants in this state, except on non-blossoming plants during the production of an agricultural commodity. Neonicotinoid pesticides must be designated as state restricted use pesticides if the pesticide label contains a section with the heading agricultural use requirements or nonagricultural use requirements.

Upon identification of an urgent pest threat, the Director of WSDA (Director) may authorize the sale, possession, or use of neonicotinoid pesticides by written order. The Director must make reasonable efforts to inform the public of the urgent pest threat identified. The written order must include certain information, including:

- identification of the urgent pest threat and the neonicotinoid pesticide to be used in addressing the urgent pest threat;
- a description of all other less harmful pesticides or pest management practices considered that were not deemed to be effective in addressing the urgent pest threat;
- a description of the geographic scope of the written order; and
- the duration the order is in effect, not to exceed one year.

The provisions of this act do not apply to appropriately licensed individuals conducting research of neonicotinoid pesticides in accordance with all other pesticide laws and rules.

WSDA must review and update rules related to neonicotinoid pesticides by June 30, 2025, and every four years thereafter.

Appropriation: None.

Fiscal Note: Requested on January 5, 2024.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.