
SENATE BILL 5972

State of Washington

68th Legislature

2024 Regular Session

By Senators Lias, Van De Wege, Billig, Nobles, Pedersen, and Salomon

Prefiled 01/04/24. Read first time 01/08/24. Referred to Committee on Agriculture, Water, Natural Resources & Parks.

1 AN ACT Relating to the use of neonicotinoid pesticides; adding a
2 new section to chapter 15.58 RCW; and creating a new section.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** (1) The legislature finds that
5 pollinators, including bees, butterflies, and birds, play a critical
6 role in sustaining biodiversity and ecosystem health. The legislature
7 further finds that pollinators are vital to agricultural production
8 in the state and that approximately 75 percent of food crops depend
9 upon pollinators.

10 (2) The legislature finds that neonicotinoids are the most widely
11 used pesticides in the world. Neonicotinoids are less toxic to
12 mammals and vertebrates than older insecticides and have beneficial
13 uses such as those associated with pet care and veterinary treatment,
14 personal care, indoor pest control, wood preservation, and structural
15 insulation. However, neonicotinoids can be toxic to pollinators and
16 misapplication of neonicotinoids contributes to bee colony collapse
17 and the decline of pollinator species. The legislature intends to
18 protect pollinators by restricting the use of neonicotinoids and
19 supporting consumer education so that people do not inadvertently
20 apply neonicotinoids in ways that are harmful to pollinators.

1 (3) The legislature recognizes that agricultural production
2 depends on reliable pest management and allows certain applications
3 of neonicotinoids for agricultural production that do not harm
4 pollinators. Products designed to control pests in home gardens and
5 landscapes that contain neonicotinoids should also be limited to
6 applications that do not harm pollinators. Understandable information
7 about the impact of products designed to manage pests in home gardens
8 and landscapes on pollinators should be provided to customers.
9 Private and nonprofit organizations engaged in public outreach and
10 education regarding the role of pollinators and pollinator health are
11 important partners in consumer education.

12 NEW SECTION. **Sec. 2.** A new section is added to chapter 15.58
13 RCW to read as follows:

14 (1) Beginning January 1, 2026, a person may not use neonicotinoid
15 pesticides on outdoor plants in this state, except on nonblossoming
16 plants during the production of an agricultural commodity.

17 (2) Neonicotinoid pesticides must be designated as state
18 restricted use pesticides if the pesticide label contains a section
19 with the heading "agricultural use requirements" or "nonagricultural
20 use requirements."

21 (3) The director, upon identification of an urgent pest threat,
22 may authorize the sale, possession, or use of neonicotinoid
23 pesticides by written order. The director must make reasonable
24 efforts to inform the public of the urgent pest threat identified.
25 The written order must include:

- 26 (a) The urgent pest threat identified;
- 27 (b) The neonicotinoid pesticide to be used in addressing the
28 urgent pest threat;
- 29 (c) All other less harmful pesticides or pest management
30 practices considered that were not deemed to be effective in
31 addressing the urgent pest threat;
- 32 (d) The geographic scope of the written order; and
- 33 (e) The duration that the order is in effect, not to exceed one
34 year.

35 (4) The provisions of this section do not apply to appropriately
36 licensed individuals conducting research of neonicotinoid pesticides
37 in accordance with all other pesticide laws and rules.

38 (5) By June 30, 2025, and every four years thereafter, the
39 department shall review and update rules under RCW 15.58.040 to

1 administer and enforce this chapter as those rules relate to
2 neonicotinoid pesticides.

3 (6) The definitions in this subsection apply throughout this
4 section unless the context clearly requires otherwise.

5 (a) "Agricultural commodity" means any plant, or part of a plant,
6 or animal, or animal product, produced by farmers, ranchers,
7 vineyardists, plant propagators, Christmas tree growers,
8 aquaculturists, floriculturists, orchardists, foresters, or other
9 persons primarily for sale, consumption, propagation, or other use by
10 people or animals.

11 (b) "Blossoming plants" has the same meaning as that term is
12 defined in WAC 16-228-1010.

13 (c) "Neonicotinoid pesticide" means any pesticide containing a
14 chemical belonging to the neonicotinoid class of chemicals including,
15 but not limited to, acetamiprid, clothianidin, dinotefuran,
16 flonicamid, imidacloprid, nitenpyram, nithiazine, thiacloprid,
17 thiamethoxam, or any other chemical designated by the department as
18 belonging to the neonicotinoid class of chemicals.

19 (d) "Urgent pest threat" means an occurrence of a pest that
20 presents a significant risk of harm or injury to the environment or
21 human health or significant harm, injury, or loss to agricultural
22 crops including, but not limited to, an invasive species as defined
23 in chapter 77.135 RCW.

--- END ---