

CERTIFICATION OF ENROLLMENT

SUBSTITUTE SENATE BILL 5972

68th Legislature
2024 Regular Session

Passed by the Senate March 5, 2024
Yeas 33 Nays 16

President of the Senate

Passed by the House March 1, 2024
Yeas 78 Nays 16

**Speaker of the House of
Representatives**

Approved

Governor of the State of Washington

CERTIFICATE

I, Sarah Bannister, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 5972** as passed by the Senate and the House of Representatives on the dates hereon set forth.

Secretary

FILED

**Secretary of State
State of Washington**

SUBSTITUTE SENATE BILL 5972

AS AMENDED BY THE HOUSE

Passed Legislature - 2024 Regular Session

State of Washington 68th Legislature 2024 Regular Session

By Senate Agriculture, Water, Natural Resources & Parks (originally sponsored by Senators Liias, Van De Wege, Billig, Nobles, Pedersen, and Salomon)

READ FIRST TIME 01/19/24.

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 35 percent of food crops depend
9 upon pollinators.

10 (2) The legislature finds that neonicotinoids are the most widely
11 used insecticides 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 applications of
3 neonicotinoids for agricultural production. Products designed to
4 control pests in home gardens and landscapes that contain
5 neonicotinoids should also be limited to applications that do not
6 harm pollinators. Understandable information about the impact of
7 products designed to manage pests in home gardens and landscapes on
8 pollinators should be provided to customers. Private and nonprofit
9 organizations engaged in public outreach and education regarding the
10 role of pollinators and pollinator health are important partners in
11 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 insecticides on nonproduction outdoor ornamental plants, trees, and
16 turf in this state, unless the application is made as part of a
17 licensed application, a tree injection, or during the production of
18 an agricultural commodity.

19 (2) The director, upon identification of an urgent pest threat,
20 may authorize the sale, possession, or use of neonicotinoid
21 insecticides that are restricted under subsection (1) of this section
22 by written order. The director must make reasonable efforts to inform
23 the public of the urgent pest threat identified. The written order
24 must include:

25 (a) The urgent pest threat identified;

26 (b) The neonicotinoid insecticide to be used in addressing the
27 urgent pest threat;

28 (c) All other less harmful insecticides or pest management
29 practices considered that were not deemed to be effective in
30 addressing the urgent pest threat;

31 (d) The geographic scope of the written order; and

32 (e) The duration that the order is in effect, not to exceed one
33 year.

34 (3) By June 30, 2025, and every four years thereafter, the
35 department shall review and update rules under RCW 15.58.040 to
36 administer and enforce this chapter as those rules relate to
37 neonicotinoid insecticides.

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

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

7 (b) "Neonicotinoid insecticide" means any insecticide containing
8 a chemical belonging to the neonicotinoid class of chemicals
9 including, but not limited to, acetamiprid, clothianidin,
10 dinotefuran, imidacloprid, nitenpyram, nithiazine, thiacloprid,
11 thiamethoxam, or any other chemical designated by the department as
12 belonging to the neonicotinoid class of chemicals.

13 (c) "Urgent pest threat" means an occurrence of a pest that
14 presents a significant risk of harm or injury to the environment or
15 human health or significant harm, injury, or loss to agricultural
16 crops including, but not limited to, an invasive species as defined
17 in chapter 77.135 RCW.

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