

18103069D

**HOUSE BILL NO. 936**

Offered January 10, 2018

Prefiled January 9, 2018

*A BILL to amend and reenact § 3.2-3904 of the Code of Virginia and to amend the Code of Virginia by adding in Article 3 of Chapter 39 of Title 3.2 a section numbered 3.2-3934.1, relating to neonicotinoid pesticides; prohibition.*

---

 Patron—Lopez
 

---



---

 Referred to Committee on Agriculture, Chesapeake and Natural Resources
 

---

**Be it enacted by the General Assembly of Virginia:**

**1. That § 3.2-3904 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding in Article 3 of Chapter 39 of Title 3.2 a section numbered 3.2-3934.1 as follows:**

**§ 3.2-3904. Powers and duties of the Board.**

The Board shall have the following powers and duties:

1. Appoint advisory committees as necessary to implement this chapter;
2. Contract for research projects and establish priorities;
3. Consult with the Department of Environmental Quality regarding compliance with the applicable waste management regulations for the safe and proper disposal of pesticide concentrates, used pesticide containers, and unused pesticides;
4. Consult with the Virginia Department of Labor and Industry regarding compliance with the applicable standards and regulations needed to ensure safe working conditions for pest control and agricultural workers;
5. Consult with the Department of Game and Inland Fisheries regarding standards for the protection of wildlife and fish and to further promote cooperation with respect to programs established by the Department of Game and Inland Fisheries for the protection of endangered or threatened species;
6. Inform the citizens of the desirability and availability of nonchemical and less toxic alternatives to chemical pesticides and the benefits of the safe and proper use of pest control products while promoting the use of integrated pest management techniques and encouraging the development of nonchemical and less toxic alternatives to chemical pesticides;
7. Require that pesticides are adequately tested and are safe for use under local conditions;
8. Require that individuals who sell, store, or apply pesticides commercially are adequately trained and observe appropriate safety practices;
9. Cooperate, receive grants-in-aid, and enter into agreements with any federal, state, or local agency to promote the purposes of this chapter;
10. Consult with the Department of Health regarding compliance with public health standards;
11. Designate any pesticide as state special use or classified for restricted use; ~~and~~
12. Restrict the distribution, possession, sale, or use of tributyltin compounds; ~~and~~
13. *Restrict the distribution, possession, or sale of and restrict or prohibit the use of neonicotinoid insecticides.*

**§ 3.2-3934.1. Prohibition on application of neonicotinoids.**

*Beginning July 1, 2019, it shall be unlawful to apply any neonicotinoid insecticides outdoors on any property that is either (i) owned or maintained by the Commonwealth or (ii) zoned for residential use. Such prohibition shall not apply to (a) the use of neonicotinoids that were purchased before July 1, 2018, or (2) any facility or other entity that is licensed by the Commonwealth or the federal government to conduct research on neonicotinoid insecticides.*

**2. That the Department of Agriculture and Consumer Services (the Department) shall, by July 1, 2020, issue a draft report evaluating whether clear, peer-reviewed, published scientific evidence exists to show that outdoor applications of neonicotinoid insecticides are safe for honey bees, other pollinators, other beneficial insects, the broader environment, and human health. The Department shall accept public comment on the draft report. After considering the comments and any other relevant information, the Department shall deliver its final evaluation report on neonicotinoid safety research to the Governor and to the Chairs of the Senate Agriculture, Conservation and Natural Resources Committee and the House Agriculture, Chesapeake and Natural Resources Committee by July 1, 2021.**

INTRODUCED

HB936