

By: Powell

S.B. No. 1128

A BILL TO BE ENTITLED

AN ACT

relating to pollinator health.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter A, Chapter 131, Agriculture Code, is amended by adding Sections 131.011 and 131.012 to read as follows:

Sec. 131.011. POLLINATOR HEALTH EDUCATION. (a) The Texas A&M AgriLife Extension Service, in consultation with the department, shall develop educational materials regarding the best practices for avoiding adverse effects from pesticides on populations of bees and other pollinating insects. The educational materials must include information on measures that pesticide applicators may take to protect honeybees and bumblebees. The Texas A&M AgriLife Extension Service and the department shall jointly design the requirements to ensure that any pesticide applicator applying or supervising the application of a pesticide is knowledgeable regarding alternatives to, the appropriateness of, and precautions for pesticide use that may be injurious to the health of bees and other pollinating insects.

(b) The department shall make the educational materials described in this section a part of the education required to obtain a pesticide applicator license under Chapter 76.

Sec. 131.012. TASK FORCE ON POLLINATOR HEALTH. (a) In this section, "task force" means the task force on pollinator health established under this section.

1        (b) The task force consists of the following 10 members:

2            (1) one member of the senate, appointed by the  
3 lieutenant governor after consultation with the speaker of the  
4 house of representatives, who serves as a nonvoting member of the  
5 task force;

6            (2) one member of the house of representatives,  
7 appointed by the speaker of the house of representatives after  
8 consultation with the lieutenant governor, who is from a different  
9 political party than the member appointed under Subdivision (1) and  
10 who serves as a nonvoting member of the task force;

11           (3) one member, appointed by the governor, who is a  
12 university faculty member specializing in the science of pollinator  
13 health;

14           (4) one member, appointed by the governor,  
15 representing an advocacy group for nurseries and greenhouse  
16 producers;

17           (5) one member, appointed by the governor,  
18 representing an advocacy group for farmers;

19           (6) one member, appointed by the governor,  
20 representing an advocacy group dedicated to the protection of  
21 pollinators and invertebrates;

22           (7) one member, appointed by the governor,  
23 representing an advocacy group dedicated to environmental  
24 protection;

25           (8) one member, appointed by the governor,  
26 representing an advocacy group for retailers;

27           (9) one member, appointed by the governor, who is

1 certified as a master gardener by the Texas A&M AgriLife Extension  
2 Service and who represents the public; and

3 (10) one member, appointed by the governor, who is a  
4 beekeeper and who represents the public.

5 (c) The task force shall undertake activities to examine  
6 issues relevant to pollinator health, including:

7 (1) studying proposed and enacted pesticide  
8 regulations from other states and countries that are more  
9 protective of pollinator health than the pesticide regulations of  
10 the United States Environmental Protection Agency;

11 (2) studying public education and outreach plans  
12 regarding pollinator health that have been successful in other  
13 states;

14 (3) evaluating the effectiveness of applicator  
15 licensing and other legal requirements, and of any state or federal  
16 incentives, in matters affecting pollinator health;

17 (4) identifying possible funding streams for efforts  
18 to promote or protect pollinator health;

19 (5) investigating the means used by other states to  
20 gather data on populations of bees or other pollinating insects;  
21 and

22 (6) evaluating existing best management practices for  
23 applying neonicotinoids in a manner that avoids harming pollinating  
24 insects.

25 (d) The task force may take actions necessary and proper to  
26 carry out the work of the task force, including scheduling hearings  
27 and taking testimony on matters related to pollinator health.

1       (e) A majority of the voting members of the task force  
2 constitutes a quorum for the transaction of business.

3       (f) Official action by the task force requires the approval  
4 of five or more voting members of the task force.

5       (g) The task force shall elect one of its voting members to  
6 serve as presiding officer.

7       (h) The appropriate appointing officer shall appoint a  
8 qualified person to fill a vacancy on the task force.

9       (i) The task force shall meet at times and places specified  
10 by the call of the presiding officer or of a majority of the voting  
11 members of the task force.

12       (j) The task force may adopt bylaws necessary for the  
13 operation of the task force.

14       (k) Not later than October 1, 2022, the task force shall  
15 submit a report, which may include recommendations for legislation,  
16 to the standing committees of the senate and the house of  
17 representatives with primary jurisdiction over agriculture. The  
18 task force may provide progress reports to those committees before  
19 October 1, 2022.

20       (l) The department shall provide staff support to the task  
21 force.

22       (m) Members of the task force who are not members of the  
23 legislature are not entitled to compensation but may be reimbursed  
24 for actual and necessary travel and other expenses incurred in the  
25 performance of their official duties in the manner and amounts  
26 provided for in the General Appropriations Act.

27       (n) Each state agency shall assist the task force in the

1 performance of its duties and, to the extent permitted by laws  
2 relating to confidentiality, shall furnish information and advice  
3 that the members of the task force consider necessary to perform  
4 their duties.

5 (o) This section expires December 31, 2022.

6 SECTION 2. Not later than October 1, 2021, the relevant  
7 appointing authorities shall appoint the members of the task force  
8 on pollinator health under Section 131.012(b), Agriculture Code, as  
9 added by this Act.

10 SECTION 3. This Act takes effect immediately if it receives  
11 a vote of two-thirds of all the members elected to each house, as  
12 provided by Section 39, Article III, Texas Constitution. If this  
13 Act does not receive the vote necessary for immediate effect, this  
14 Act takes effect September 1, 2021.