

## **BILL ANALYSIS**

Senate Research Center  
86R1859 BEF-D

S.B. 2170  
By: Rodríguez  
Agriculture  
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As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

The Monarch butterfly and native and domesticated bee populations are declining in Texas. According to a report by the Texas Parks and Wildlife Department (TPWD), the loss of the native host plants of the Monarch butterfly has been identified as the key factor in the decline in the migratory population of Monarch butterflies. Monarch butterflies are an important source of pollination in Texas, as well as an important part of the food chain.

Since 94 percent of Texas land is privately owned, effective native pollinator conservation will require private landowners' involvement and participation. TPWD plans to provide trainings to people living in areas across the monarch migratory pathway to promote awareness and effective implementation of native pollinator management strategies on private land.

Although practices such as grazing, haying, and prescribed burning have some positive effects, these activities can prove to be detrimental to the needs of native bees and other pollinators if implemented throughout an entire area in one season. Other states, such as Oregon, Connecticut, Minnesota, California, and Washington, have established initiatives to support pollinator health.

S.B. 2170 would direct the Texas Agrilife Extension to coordinate with other entities to study pollinator health. S.B. 2170 would also create a task force comprised of a variety of stakeholders, including legislators, agency staff, and experts in the field, to create recommendations to promote pollinator health in Texas.

As proposed, S.B. 2170 amends current law relating to pollinator health.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Subchapter A, Chapter 131, Agriculture Code, by adding Sections 131.011 and 131.012, as follows:

Sec. 131.011. POLLINATOR HEALTH EDUCATION. (a) Requires the Texas A&M AgriLife Extension Service, in consultation with the Texas Department of Agriculture (TDA), to develop educational materials regarding the best practices for avoiding adverse effects from pesticides on populations of bees and other pollinating insects. Requires the educational materials to include information on measures that pesticide applicators are authorized to take to protect honeybees and bumblebees. Requires the Texas A&M AgriLife Extension Service and TDA to 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) Requires TDA to make the educational materials described in this section a part of the education required to obtain a pesticide applicator license under Chapter 76 (Pesticide and Herbicide Regulation).

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

(b) Sets forth the membership of the task force.

(c) Requires the task force to undertake activities to examine issues relevant to pollinator health, including:

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

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

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

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

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

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

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

(e) Provides that a majority of the voting members of the task force constitutes a quorum for the transaction of business.

(f) Provides that official action by the task force requires the approval of five or more voting members of the task force.

(g) Requires the task force to elect one of its voting members to serve as presiding officer.

(h) Requires the appropriate appointing officer to appoint a qualified person to fill a vacancy on the task force.

(i) Requires the task force to meet at times and places specified by the call of the presiding officer or of a majority of the voting members of the task force.

(j) Authorizes the task force to adopt bylaws necessary for the operation of the task force.

(k) Requires the task force, not later than October 1, 2020, to submit a report, which is authorized to include recommendations for legislation, to the standing committees of the senate and the house of representatives with primary jurisdiction over agriculture. Authorizes the task force to provide progress reports to those committees before October 1, 2020.

(l) Requires TDA to provide staff support to the task force.

(m) Provides that members of the task force who are not members of the legislature are not entitled to compensation but are authorized to be reimbursed for actual and necessary travel and other expenses incurred in the performance of their official duties in the manner and amounts provided for in the General Appropriations Act.

(n) Requires each state agency to assist the task force in the performance of its duties and, to the extent permitted by laws relating to confidentiality, to furnish information and advice that the members of the task force consider necessary to perform their duties.

(o) Provides that this section expires December 31, 2020.

SECTION 2. Requires the relevant appointing authorities, not later than October 1, 2019, to appoint the members of the task force on pollinator health under Section 131.012(b), Agriculture Code, as added by this Act.

SECTION 3. Effective date: upon passage or September 1, 2019.