HOUSE BILL

**58TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2027**

INTRODUCED BY

DISCUSSION DRAFT

AN ACT

RELATING TO THE ENVIRONMENT; PROHIBITING THE USE OF PESTICIDES HARMFUL TO POLLINATORS ON LAND OWNED, MANAGED OR LEASED BY THE STATE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

**SECTION 1.** Section 76-4-1 NMSA 1978 (being Laws 1973, Chapter 366, Section 1) is amended to read:

"76-4-1. SHORT TITLE.--[~~This act~~] Chapter 76, Article 4 NMSA 1978 may be cited as the "Pesticide Control Act"."

**SECTION 2.** A new section of the Pesticide Control Act is enacted to read:

"[NEW MATERIAL] CHEMICALS HARMFUL TO POLLINATORS PROHIBITED ON STATE LANDS.--

A. A person shall not apply a pesticide or herbicide on land owned, managed or leased by the state that

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contains:

(1) an insecticide identified as belonging to the neonicotinoid class by the United States environmental protection agency or the department;

(2) chlorpyrifos;

(3) glyphosate; or

(4) a chemical or class of chemicals deemed harmful to pollinators by the department.

B. A chemical or class of chemicals is harmful to pollinators if the application of the chemical or class of chemicals results in acute lethality, sublethal impairment, systemic contamination or ecosystem disruption as determined by the department.

C. As used in this section:

(1) "acute lethality" means immediate or delayed mortality of pollinators caused by direct spray contact, contact with surface residues or ingestion;

(2) "ecosystem disruption" means the depletion of floral resources, host plants or nesting habitats essential to the survival of pollinator populations;

(3) "pollinator" means an animal that facilitates the fertilization of flowering plants;

(4) "sublethal impairment" means the alteration of a pollinator's essential physiological or behavioral functions resulting in a diminished capacity for

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survival, foraging or reproductive success; and

(5) "systemic contamination" means the absorption and movement of a chemical through plant tissues into pollen or nectar resulting in death or diminished capacity by the pollinator that ingests the contaminated pollen or nectar."



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