

**Second Regular Session
Seventy-third General Assembly
STATE OF COLORADO**

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 22-0990.01 Jennifer Berman x3286

SENATE BILL 22-199

SENATE SPONSORSHIP

Jaquez Lewis and Priola,

HOUSE SPONSORSHIP

Kipp and Froelich,

Senate Committees

State, Veterans, & Military Affairs
Appropriations

House Committees

A BILL FOR AN ACT

101 **CONCERNING A STUDY REGARDING THE PROTECTION OF NATIVE**
102 **POLLINATING INSECTS IN THE STATE.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

The bill requires the executive director of the department of natural resources or the executive director's designee (executive director) to conduct a study as soon as practicable regarding the challenges associated with native pollinating insect decline, their associated ecosystems, and their health and resilience in the state. Based on the results of the study, the executive director is required to make

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

recommendations:

- For the protection of native pollinating insects;
- On best practices for state agencies in implementing policies and practices regarding native pollinating insects; and
- On how to develop education and outreach programming.

On or before January 1, 2024, the executive director shall submit to the general assembly and the governor a report summarizing the study and the executive director's recommendations based on the study.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 hereby finds and determines that:

4 (a) Colorado is home to a large and diverse community of native
5 pollinating insects consisting of 946 species of native bees, 250 species
6 of butterflies, and more than 1,000 species of moths, which, along with
7 other insects such as wasps, beetles, and flies, are essential for pollinating
8 the majority of the state's flowering plants. The flowering plants are the
9 foundation of our food systems and support biodiversity.

10 (b) Due to its diverse geography, Colorado has a large number of
11 native bee species that support a wide range of ecosystem types in the
12 state;

13 (c) Colorado's native bee species have coevolved for millions of
14 years with our native flowering plant species and are critical, efficient,
15 effective, and irreplaceable native pollinating insects for native fruits,
16 seeds, and vegetables, many of which domesticated honeybees cannot
17 pollinate;

18 (d) A growing number of the world's plants, insects, and other
19 wildlife are at risk due to habitat loss and fragmentation as a result of
20 climate change and other factors. Because such habitat loss and

1 fragmentation can push ecosystems beyond the point of being
2 recoverable, it is beneficial to protect and stabilize the ecosystems that
3 provide support for pollinators.

4 (e) Native pollinating insects are vital to Colorado's natural
5 heritage and are essential for systems such as climate regulation, erosion
6 control, nutrient cycling, recreation, pollination of the state's native
7 flowering plants, and more; and

8 (f) Native pollinating insects have implications for the state's food
9 supply, economy, and the resilience, health, and stability of the state's
10 ecosystems.

11 (2) The general assembly declares that the state should identify
12 programs for the protection of native pollinating insects, which programs:

13 (a) Build healthy, diverse, and sustainable habitats for native
14 pollinating insects;

15 (b) Improve state land-use practices;

16 (c) Promote the protection of safe and healthy ecosystems that
17 support native pollinating insects; and

18 (d) Raise awareness throughout the state of the need to protect
19 native pollinating insects.

20 **SECTION 2.** In Colorado Revised Statutes, **add** 24-33-118 as
21 follows:

22 **24-33-118. Pollinator health study - recommendations -**
23 **reporting - definition - repeal.** (1) AS SOON AS PRACTICABLE, THE
24 EXECUTIVE DIRECTOR SHALL:

25 (a) CONDUCT A STUDY REGARDING STATE AGENCY PROGRAMS,
26 RESOURCES, AND NEEDS RELATED TO CHALLENGES ASSOCIATED WITH
27 NATIVE POLLINATING INSECTS!:

1 (I) POPULATIONS AND ASSOCIATED ECOSYSTEMS IN THE STATE;

2 AND

3 (II) HEALTH AND RESILIENCE IN THE STATE; AND

4 (b) BASED ON THE STUDY, MAKE RECOMMENDATIONS ON HOW TO
5 IMPROVE POLLINATOR HEALTH AND RESILIENCE IN THE STATE.

6 (2) THE STUDY MUST, AT A MINIMUM:

7 (a) IDENTIFY THE SIGNIFICANCE OF HEALTHY NATIVE POLLINATING
8 INSECT COMMUNITIES AND THE ROLE OF NATIVE POLLINATING INSECTS IN
9 SUPPORTING HEALTHY ECOSYSTEMS;

10 (b) BASED ON AVAILABLE RESEARCH AND DATA, SUMMARIZE
11 CURRENT KNOWLEDGE REGARDING NATIVE POLLINATOR HEALTH;

12 (c) IDENTIFY:

13 (I) FACTORS THAT, WHETHER INDIVIDUALLY OR IN COMBINATION,
14 NEGATIVELY AFFECT NATIVE POLLINATING INSECT COMMUNITIES;

15 (II) EXISTING PROJECTS, PUBLIC-PRIVATE PARTNERSHIPS, AND
16 FUNDING OPPORTUNITIES IN THE STATE FOR NATIVE POLLINATING INSECT
17 CONSERVATION;

18 (III) ANY GAPS IN CURRENT KNOWLEDGE REGARDING NATIVE
19 POLLINATING INSECT HEALTH, INCLUDING GAPS IN CURRENT KNOWLEDGE
20 OF:

21 (A) WILD BEE DISTRIBUTIONS AND POPULATION DYNAMICS;

22 (B) NATIVE POLLINATOR SPECIES THAT ARE AT RISK OF DECLINE;

23 AND

24 (C) BEST PRACTICES FOR STATE LAND MANAGERS TO INCENTIVIZE
25 THE CREATION AND PROTECTION OF HEALTHY AND DIVERSE POLLINATOR
26 COMMUNITIES; AND

27 (IV) OPPORTUNITIES FOR:

1 (A) MANAGEMENT, PROTECTION, AND RECOVERY EFFORTS
2 THROUGH THE DEVELOPMENT OF PROGRAMS THAT MITIGATE FACTORS
3 THAT NEGATIVELY AFFECT NATIVE POLLINATING INSECT COMMUNITIES;
4 AND

5 (B) THE DEVELOPMENT OF ECOLOGICAL STATE LAND
6 MANAGEMENT PRACTICES THAT RESTORE HABITAT FUNCTIONALITY AND
7 PROVIDE NATURAL CLIMATE SOLUTIONS; AND

8 (d) INCLUDE RECOMMENDATIONS REGARDING:

9 (I) HOW TO DEVELOP AN EDUCATION AND OUTREACH PROGRAM TO
10 RAISE AWARENESS AND PUBLIC ENGAGEMENT REGARDING, AND TO
11 INCENTIVIZE ACTION TO BENEFIT, NATIVE POLLINATING INSECT HEALTH;

12 (II) HOW BEST TO ENGAGE WITH, AND WORK ACROSS, STATE
13 AGENCIES WHEN DEVELOPING AND IMPLEMENTING POLICIES AND
14 PRACTICES REGARDING NATIVE POLLINATING INSECTS; AND

15 (III) PROTECTION OF NATIVE POLLINATING INSECTS.

16 (3) (a) IN CONDUCTING THE STUDY, THE EXECUTIVE DIRECTOR
17 SHALL CONSULT WITH:

18 (I) FEDERAL AGENCIES, SUCH AS THE UNITED STATES FISH AND
19 WILDLIFE SERVICE AND THE UNITED STATES FOREST SERVICE; AND

20 (II) INDEPENDENT SCIENTISTS AND EXPERTS WITH EXPERTISE IN
21 POLLINATOR HEALTH, CLIMATE CHANGE, ECOLOGICAL PROCESSES AND
22 RESILIENCE, BIODIVERSITY, NATIVE PLANTS, AND ECOLOGICAL LAND
23 MANAGEMENT. IN PARTICULAR, THE EXECUTIVE DIRECTOR SHALL
24 CONDUCT OUTREACH TO COLORADO STATE UNIVERSITY, THE UNIVERSITY
25 OF COLORADO, AND THE ROCKY MOUNTAIN BIOLOGICAL LABORATORY
26 AND SHALL PRIORITIZE PEER-REVIEWED SCIENTIFIC RESEARCH.

27 (b) OTHER STATE AGENCIES, INCLUDING THE DEPARTMENT OF

1 TRANSPORTATION, THE DEPARTMENT OF PUBLIC HEALTH AND
2 ENVIRONMENT, AND THE DEPARTMENT OF AGRICULTURE, SHALL
3 PARTICIPATE IN THE STUDY BY IDENTIFYING THEIR EXISTING PROGRAMS
4 THAT RELATE TO NATIVE POLLINATING INSECT HEALTH AND BY PROVIDING
5 INPUT ON THE STUDY COMPONENTS AND RECOMMENDATIONS THAT RELATE
6 TO THE PROGRAMS IDENTIFIED.

7 (4) ON OR BEFORE JANUARY 1, 2024, THE EXECUTIVE DIRECTOR
8 SHALL SUBMIT TO THE GENERAL ASSEMBLY AND THE GOVERNOR A REPORT
9 SUMMARIZING THE STUDY AND RECOMMENDATIONS BASED ON THE STUDY.

10 (5) AS USED IN THIS SECTION, "EXECUTIVE DIRECTOR" MEANS THE
11 EXECUTIVE DIRECTOR OF THE DEPARTMENT OF NATURAL RESOURCES OR
12 THE EXECUTIVE DIRECTOR'S DESIGNEE.

13 (6) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2024.

14 **SECTION 3. Safety clause.** The general assembly hereby finds,
15 determines, and declares that this act is necessary for the immediate
16 preservation of the public peace, health, or safety.