

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

REVISED

*This Version Includes All Amendments Adopted
on Second Reading in the Second House*

LLS NO. 22-0990.01 Jennifer Berman x3286

SENATE BILL 22-199

SENATE SPONSORSHIP

Jaquez Lewis and Priola, Bridges, Buckner, Fenberg, Ginal, Hansen, Lee, Story, Winter

HOUSE SPONSORSHIP

Kipp and Froelich,

Senate Committees

State, Veterans, & Military Affairs
Appropriations

House Committees

Public & Behavioral Health & Human Services
Appropriations

A BILL FOR AN ACT

101 **CONCERNING A STUDY REGARDING THE PROTECTION OF NATIVE**
102 **POLLINATING INSECTS IN THE STATE, AND, IN CONNECTION**
103 **THEREWITH, MAKING AN APPROPRIATION.**

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

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.

HOUSE
2nd Reading Unamended
May 10, 2022

SENATE
3rd Reading Unamended
May 2, 2022

SENATE
Amended 2nd Reading
April 29, 2022

results of the study, the executive director is required to make 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 MAY:

7 (a) BASED ON AVAILABLE RESEARCH AND DATA, SUMMARIZE
8 CURRENT KNOWLEDGE REGARDING NATIVE POLLINATOR HEALTH;

9 (b) IDENTIFY:

10 ==

11 (I) ANY GAPS IN CURRENT KNOWLEDGE REGARDING NATIVE
12 POLLINATING INSECT HEALTH, INCLUDING GAPS IN CURRENT KNOWLEDGE
13 OF:

14 (A) WILD BEE DISTRIBUTIONS AND POPULATION DYNAMICS;

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

16 AND

17 (C) BEST PRACTICES FOR STATE LAND MANAGERS TO INCENTIVIZE
18 THE CREATION AND PROTECTION OF HEALTHY AND DIVERSE POLLINATOR
19 COMMUNITIES; AND

20 (II) OPPORTUNITIES FOR:

21 (A) MANAGEMENT, PROTECTION, AND RECOVERY EFFORTS
22 THROUGH THE DEVELOPMENT OF PROGRAMS THAT MITIGATE FACTORS
23 THAT NEGATIVELY AFFECT NATIVE POLLINATING INSECT COMMUNITIES;

24 AND

25 (B) THE DEVELOPMENT OF ECOLOGICAL STATE LAND
26 MANAGEMENT PRACTICES THAT RESTORE HABITAT FUNCTIONALITY AND
27 PROVIDE NATURAL CLIMATE SOLUTIONS; AND

1 (d) INCLUDE RECOMMENDATIONS REGARDING:
2 (I) HOW TO DEVELOP AN EDUCATION AND OUTREACH PROGRAM TO
3 RAISE AWARENESS AND PUBLIC ENGAGEMENT REGARDING, AND TO
4 INCENTIVIZE ACTION TO BENEFIT, NATIVE POLLINATING INSECT HEALTH;
5 AND
6 (II) PROTECTION OF NATIVE POLLINATING INSECTS.
7 (3) (a) IN CONDUCTING THE STUDY, THE EXECUTIVE DIRECTOR
8 SHALL CONSULT WITH:
9 (I) FEDERAL AGENCIES, SUCH AS THE UNITED STATES FISH AND
10 WILDLIFE SERVICE AND THE UNITED STATES FOREST SERVICE; AND
11 (II) INDEPENDENT SCIENTISTS AND EXPERTS WITH EXPERTISE IN
12 POLLINATOR HEALTH, CLIMATE CHANGE, ECOLOGICAL PROCESSES AND
13 RESILIENCE, BIODIVERSITY, NATIVE PLANTS, AND ECOLOGICAL LAND
14 MANAGEMENT. IN PARTICULAR, THE EXECUTIVE DIRECTOR SHALL
15 CONDUCT OUTREACH TO COLORADO STATE UNIVERSITY, THE UNIVERSITY
16 OF COLORADO, AND THE ROCKY MOUNTAIN BIOLOGICAL LABORATORY
17 AND SHALL PRIORITIZE PEER-REVIEWED SCIENTIFIC RESEARCH.
18 (b) OTHER STATE AGENCIES, INCLUDING THE DEPARTMENT OF
19 TRANSPORTATION, THE DEPARTMENT OF PUBLIC HEALTH AND
20 ENVIRONMENT, AND THE DEPARTMENT OF AGRICULTURE, SHALL
21 PARTICIPATE IN THE STUDY BY IDENTIFYING THEIR EXISTING PROGRAMS
22 THAT RELATE TO NATIVE POLLINATING INSECT HEALTH AND BY PROVIDING
23 INPUT ON THE STUDY COMPONENTS AND RECOMMENDATIONS THAT RELATE
24 TO THE PROGRAMS IDENTIFIED.
25 (4) ON OR BEFORE JANUARY 1, 2024, THE EXECUTIVE DIRECTOR
26 SHALL SUBMIT TO THE GENERAL ASSEMBLY AND THE GOVERNOR A REPORT
27 SUMMARIZING THE STUDY AND RECOMMENDATIONS BASED ON THE STUDY.

1 (5) AS USED IN THIS SECTION, "EXECUTIVE DIRECTOR" MEANS THE
2 EXECUTIVE DIRECTOR OF THE DEPARTMENT OF NATURAL RESOURCES OR
3 THE EXECUTIVE DIRECTOR'S DESIGNEE.

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

5 **SECTION 3. Appropriation.** (1) For the 2022-23 state fiscal
6 year, \$179,642 is appropriated to the department of natural resources for
7 use by the executive director's office. This appropriation is from the
8 general fund. To implement this act, the office may use this appropriation
9 as follows:

10 (a) \$50,632 for personal services, which amount is based on an
11 assumption that the office will require an additional 0.6 FTE; and

12 (b) \$129,010 for operating expenses.

13 **SECTION 4. Safety clause.** The general assembly hereby finds,
14 determines, and declares that this act is necessary for the immediate
15 preservation of the public peace, health, or safety.