

CHAPTER 257

HEALTH AND ENVIRONMENT

SENATE BILL 22-199

BY SENATOR(S) Jaquez Lewis and Priola, Bridges, Buckner, Ginal, Hansen, Lee, Story, Winter, Fenberg;
also REPRESENTATIVE(S) Kipp and Froelich, Amabile, Bacon, Bernett, Bird, Boesenecker, Caraveo, Cutter, Esgar, Hooton,
Jodeh, Lontine, McCormick, Michaelson Jenet, Ortiz, Sirota, Sullivan, Titone, Valdez A., Woodrow.

AN ACT

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

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

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

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

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

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

(d) A growing number of the world's plants, insects, and other wildlife are at risk due to habitat loss and fragmentation as a result of climate change and other factors. Because such habitat loss and fragmentation can push ecosystems beyond the point of being recoverable, it is beneficial to protect and stabilize the ecosystems that provide support for pollinators.

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

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

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

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

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

(b) Improve state land-use practices;

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

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

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

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

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

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

(II) HEALTH AND RESILIENCE IN THE STATE; AND

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

(2) THE STUDY MAY:

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

(b) IDENTIFY:

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

(A) WILD BEE DISTRIBUTIONS AND POPULATION DYNAMICS;

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

(C) BEST PRACTICES FOR STATE LAND MANAGERS TO INCENTIVIZE THE CREATION

AND PROTECTION OF HEALTHY AND DIVERSE POLLINATOR COMMUNITIES; AND

(II) OPPORTUNITIES FOR:

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

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

(c) INCLUDE RECOMMENDATIONS REGARDING:

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

(II) PROTECTION OF NATIVE POLLINATING INSECTS.

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

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

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

(b) OTHER STATE AGENCIES, INCLUDING THE DEPARTMENT OF TRANSPORTATION, THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT, AND THE DEPARTMENT OF AGRICULTURE, SHALL PARTICIPATE IN THE STUDY BY IDENTIFYING THEIR EXISTING PROGRAMS THAT RELATE TO NATIVE POLLINATING INSECT HEALTH AND BY PROVIDING INPUT ON THE STUDY COMPONENTS AND RECOMMENDATIONS THAT RELATE TO THE PROGRAMS IDENTIFIED.

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

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

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

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

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

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

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

Approved: May 27, 2022