

HOUSE BILL 91

M4, M3

6lr1680

(PRE-FILED)

By: **Delegates Healey and Ruth**

Requested: November 1, 2025

Introduced and read first time: January 14, 2026

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Agriculture – Neonicotinoid Pesticides – Prohibitions**

3 FOR the purpose of prohibiting a person from distributing, selling, or using certain seeds
4 that have been coated in or treated with a neonicotinoid pesticide, subject to certain
5 exceptions; prohibiting a person from using a neonicotinoid pesticide to treat outdoor
6 ornamental plants and turf, subject to certain exceptions; authorizing the Secretary
7 of Agriculture to temporarily suspend the prohibitions under this Act under certain
8 circumstances and in a certain manner; and generally relating to neonicotinoid
9 pesticides.

10 BY repealing and reenacting, with amendments,

11 Article – Agriculture

12 Section 5–2A–01 and 5–2A–02(c)

13 Annotated Code of Maryland

14 (2016 Replacement Volume and 2025 Supplement)

15 BY adding to

16 Article – Agriculture

17 Section 5–2A–02(d) and (e)

18 Annotated Code of Maryland

19 (2016 Replacement Volume and 2025 Supplement)

20 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

21 That the Laws of Maryland read as follows:

22 **Article – Agriculture**

23 5–2A–01.

24 (a) In this subtitle the following words have the meanings indicated.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(b) "Certified applicator" has the meaning stated in § 5-201 of this title.

(C) (1) "ENVIRONMENTAL EMERGENCY" MEANS AN OCCURRENCE OF PEST WHICH PRESENTS:

4 (I) A SIGNIFICANT RISK OF HARM OR INJURY TO THE
5 ENVIRONMENT; OR

6 (II) A SIGNIFICANT HARM, INJURY, OR LOSS TO AGRICULTURAL
7 CROPS.

(2) "ENVIRONMENTAL EMERGENCY" INCLUDES THE PRESENCE OF WHICH THE SECRETARY, IN CONSULTATION WITH THE DEPARTMENT OF ENVIRONMENT AND THE DEPARTMENT OF NATURAL RESOURCES, DETERMINES NEED PREVENTIVE MEASURES TO AVERT A SIGNIFICANT RISK.

12 [(c)] (D) “Neonicotinoid pesticide” means any pesticide containing a chemical
13 belonging to the neonicotinoid class of chemicals, including:

(1) Imidacloprid;

(2) Nithiazine;

(3) Acetamiprid;

(4) Clothianidin;

(5) Dinotefuran;

(6) Thiacloprid;

(7) Thiamethoxam; and

(8) Any other chemical designated by the Department as belonging to the
d class of chemicals.

[d] (E) "Restricted use pesticide" has the meaning stated in § 5-201 of this title.

24 5-2A-02.

25 (c) On or after January 1, 2018, **AND SUBJECT TO SUBSECTION (E) OF THIS**
26 **SECTION**, a person may not use a neonicotinoid pesticide unless the person is:

27 (1) A certified applicator or a person working under the supervision of a
28 certified applicator;

4 (3) A veterinarian.

5 (D) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A
6 PERSON MAY NOT DISTRIBUTE, SELL, OR USE ANY CORN, SOYBEAN, OR WHEAT SEEDS
7 COATED IN OR TREATED WITH A NEONICOTINOID PESTICIDE.

12 1. THERE IS AN INSUFFICIENT AMOUNT OF
13 COMMERCIALLY AVAILABLE SEED THAT HAS NOT BEEN TREATED WITH A
14 NEONICOTINOID PESTICIDE; OR

27 (E) (1) THIS SUBSECTION DOES NOT APPLY TO:

(D) THE PRODUCTION OF AGRICULTURAL COMMODITIES; AND

(2) EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION, A PERSON MAY NOT USE A NEONICOTINOID PESTICIDE TO TREAT OUTDOOR ORNAMENTAL PLANTS AND TURF.

1. A VALID ENVIRONMENTAL EMERGENCY EXISTS;

2. A NEONICOTINOID PESTICIDE WOULD BE EFFECTIVE ENVIRONMENTAL EMERGENCY; AND

3. THERE IS NO OTHER LESS HARMFUL PESTICIDE OR PRACTICE THAT WOULD BE EFFECTIVE IN ADDRESSING THE URGENCY.

14 (II) THE SECRETARY SHALL PUBLISH A WRITTEN DIRECTIVE OF
15 ANY TEMPORARY SUSPENSION UNDER THIS PARAGRAPH THAT SPECIFIES:

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
22 October 1, 2026.