



## **POSITION STATEMENTS**

**Bill:** HB1237 Pesticide Applications - Subscription Contract Requirements and Registry Establishment

**Position:** Oppose

**Date:** March 4, 2026

**Contact:** Debra Borden, General Counsel

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Dear Chair Marc Korman,

This bill establishes certain requirements for a pesticide business licensee that has a subscription contract for pest control with a residential customer; requiring the Department of Agriculture to establish a Residential Pollinator Protection and Neighbor Notification Registry for the purpose of registering certain individuals who are interested in receiving notice of certain pesticide applications; requiring the Department to prepare a certain list from the Registry and distribute the list to certain licensees; requiring certain licensees and pesticide applicators to take certain actions before and during a pesticide application to a property contiguous or adjacent to the property of a registered individual.

### Staff Comments

The Montgomery Parks Department opposes HB1237 due to the significant operational and administrative burdens it would impose, the ambiguity in several of its provisions, and the potential to disrupt critical natural resource management activities specifically related to non-native, invasive plants.

The bill would require additional staff resources to adequately review the registry and notify registered individuals prior to pesticide applications. This would directly impact the Natural Resources Sections (NRS) and other programs responsible for essential pesticide applications in

natural areas, including treatment of non-native and invasive species. The applications are necessary to maintain ecological health and compliance with land management obligations.

Although the fiscal impact may initially appear minimal, it has potential to grow substantially. Participation levels in the registry are impossible to estimate, and the bill requires notification “upon request” which likewise creates an unpredictable and expanding workload. Without a clear understanding of the number of registrants, the Department cannot accurately project staffing needs or operational impacts.

The bill’s use of the terms “adjacent” and “contiguous” raises additional concerns. For large park properties, this language could be interpreted broadly. In some cases, a registered individual located a substantial distance away- potentially hundreds of acres from the treatment site- could still be considered contiguous, thereby triggering notification requirements. Without a defined and reasonable distance limitation, the bill creates operational uncertainty and excessive notification obligations.

Additionally, the language requiring applicators to exercise “particular care” to avoid drift or other impacts lacks specificity and leaves room for subjective interpretation. While there is no explicit suggestion that registered participants could disrupt applications, the ambiguity in this provision invites potential disputes and could complicate routine, legally compliant pesticide applications.

For these reasons, the Parks department believes HB1237 would impose significant administrative burdens, create operational uncertainty, and hinder timely and necessary pesticide applications essential to natural resource management. Accordingly, we respectfully oppose the bill.

In 2025, Montgomery Parks staff made 437 pesticide applications on Parkland to approximately 90 parks. With 416 parks across over 37,000 acres, the number of pesticide applications and the number of parks treated each year vary based on the pests we find and the methodology we use to treat them. Montgomery Parks does not routinely apply pesticides. As an agency, we implement Integrated Pest Management (IPM) strategies to ensure pesticides are used as a last resort to treat pests. Most of the park system’s 37,000+ acres are managed without the use of pesticides. While IPM is practiced countywide, the department manages 54 parks and all 275 playgrounds using alternative, environmentally friendly methods. Environmentally friendly methods include hot foam applications, string trimming, mechanical weed removal, and products approved for use by Montgomery County Code 33B. These approved products must be listed by the National Organics Standards Board or designated as a “minimum risk” pesticide under

FIFRA 25(b). This careful and balanced approach helps us ensure our parkland remains beautiful, resilient, safe, and open for public enjoyment.

When pesticides are deemed necessary, the public is notified of applications through our website **Pest Management Program - Montgomery Parks**. The table on our website includes a schedule of upcoming pesticide applications. This table is updated routinely to provide at least a 48-hour notice of applications, except in cases of specific emergency applications like stinging insects harmful to human health. When emergency applications are made, the amenity is closed to the public during the application. Montgomery Parks staff make every effort to notify the community through this webpage when a pesticide application is scheduled in a public area. Application dates may change or be canceled due to weather; also, occasional emergency applications (such as managing stinging insects harmful to human health) may be needed.

The introduction of a registry of individuals that would need to be notified of every application the day before or morning of a pesticide application could be a significant staff challenge that is difficult to estimate in advance. We don't foresee that the maintenance staff or horticulture staff performing the pesticide applications would be the same staff calling to inform the homeowner or stopping by the residence to provide them with the notice and information required. These staff would be hands on in the field and not able to be pulled away from their work to meet with homeowners. Staff employed for these tasks would need to be a higher level manager that is able to answer technical questions about the pest, and pesticide and, provide customer service to respond appropriately to potentially difficult questions from the homeowner. Currently if patrons have a question about an application, they are able to reach out to our customer service line to get more information about an upcoming application that is scheduled. Paper mailings or hand delivered notices are not a practical way to communicate for our agency when we have over 400 parks and over 37,000 acres of land. This registry could be seen as an outdated approach to making contact with Montgomery County residents and redundant for Montgomery Parks, especially when we are already very transparent with the public about our pesticide applications through our website, which provides advance notification of pesticide use and signage in the parks so patrons are informed about an application.

Another potential conflict with the notification process in the bill is that it requires notification to adjacent or contiguous property owners the day before or day of an application. Park staff post intended applications on our website at least 48 hours in advance of the date of application. We also list application dates as a range of dates as there is potential for applications to be cancelled because of unfavorable weather conditions. Other information we provide on the web for each application include the park location, date range, time pesticide will be applied, specific location in the park to be treated, and application details including the pesticide product that will be used

and the pest to be treated. Montgomery Parks also goes above and beyond State law and posts signs after every pesticide application, and they remain onsite for 48 hours. The signs detail that a pesticide application was made, the date it was made, the reason for treatment, the location, and the product used. State law requires that only turf and ornamental pesticide applications be posted on-site for 48 hours after application. Also, Montgomery Parks pre-posts applications by signing with information on site as required by County law for applications to turf, near waterbodies, and athletic fields.

The bill's use of the terms "pollinator garden" and "other wildlife habitat" lacks specificity and leaves room for subjective interpretation. What is the standard that the homeowner must meet to ensure their property provides sufficient ecosystem services to qualify as a pollinator garden or wildlife habitat? Who is the responsible party for reviewing the homeowner application and inspecting the property to ensure the standards are met. The bill requires that inclusion in the residential pollinator protection registry requires an annual renewal; will the homeowner's property be inspected on an annual basis to ensure ongoing compliance with the standards?