

HB 1431-FN - AS AMENDED BY THE HOUSE

19Feb2026... 0465h

2026 SESSION

26-2574

08/07

HOUSE BILL ***1431-FN***

AN ACT restricting the use of neonicotinoid pesticides.

SPONSORS: Rep. J. MacDonald, Carr. 6; Rep. Crawford, Carr. 3; Rep. Damon, Sull. 8; Rep. Maggiore, Rock. 23; Rep. Peternel, Carr. 6; Rep. Rung, Hills. 12

COMMITTEE: Environment and Agriculture

AMENDED ANALYSIS

This bill restricts the use of neonicotinoid pesticides and requires the pesticide control board to develop rules about the proper application of neonicotinoid pesticides.

Explanation: Matter added to current law appears in ***bold italics***.
 Matter removed from current law appears ~~in brackets and struckthrough.~~
 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty-Six

AN ACT restricting the use of neonicotinoid pesticides.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 New Subdivision; Neonicotinoid Pesticides. Amend RSA 430 by inserting after section 58 the
2 following new subdivision:

3 Neonicotinoid Pesticides

4 430:59 Definitions. In this subdivision:

5 I. "Bloom" means appeared from the onset of flowering or inflorescence until the petal fall is
6 complete.

7 II. "Neonicotinoid pesticide" means any pesticide containing one or more of the following
8 active ingredients: acetamiprid, clothianidin, dinotefuran, imidacloprid, nitenpyram, nithiazine,
9 thiacloprid, or thiamethoxam.

10 III. "Ornamental plants" means perennials, annuals, and ground cover purposefully planted
11 for aesthetic reasons.

12 IV. "Structural pest control" means wood preservative pesticide applications of
13 neonicotinoids conducted within enclosed structures, or for remedial treatment, foundation
14 treatments applied directly to a structure's foundation, or limited exterior perimeter applications
15 confined to within 5 feet of the building foundation perimeter, when performed by a certified
16 applicator and applied in a manner that prevents unreasonable risk to pollinators, flowering plants,
17 and surrounding soils.

18 430:60 Neonicotinoid Pesticide Use Restricted.

19 I. The pesticide control board shall adopt rules under RSA 541-A relative to the re-
20 classification of certain neonicotinoid pesticides as "restricted use" and shall make rules regarding
21 neonicotinoid pesticide application which may include but are not limited to the following provisions:

22 (a) The pesticide control board may ban the use of any neonicotinoid pesticide for a non-
23 agricultural purpose, non-forestry landscape, lawn, turf, or ornamental garden except to control
24 invasive species or as authorized in RSA 430:61.

25 (b) The pesticide control board may authorize the use of certain neonicotinoid pesticides
26 by state certified applicators when such use and application is conducted in accordance with best
27 management practices established by the department of agriculture, markets, and food.

28 (c) The pesticide control board may authorize the use of certain neonicotinoid pesticides
29 for:

30 (1) Products used for the prevention or treatment of fleas, ticks, or heartworm in
31 companion animals or livestock.

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1 (2) Products intended for the treatment of lice and bedbugs and any other indoor
2 use.

3 (3) Application of neonicotinoid pesticides indoors, provided such application does
4 not result in exposure to pollinators.

5 (4) Application of neonicotinoid pesticides by a state certified applicator for wood
6 preservation and foundation treatments applied within a specified building foundation perimeter to
7 manage structural pests.

8 (5) Application of neonicotinoid pesticides for invasive species management.

9 (6) Use of neonicotinoid pesticides for bonafide academic, governmental, or scientific
10 research purposes, including field trials, provided such use complies with all applicable state and
11 federal requirements.

12 (7) Products labeled and intended solely for aquarium use or contained aquatic
13 systems to control aquatic pests.

14 (8) Application to plants grown in enclosed greenhouses or controlled environments
15 that are inaccessible to pollinators.

16 (9) Application to fruit tree orchards so long as:

17 (A) The state certified applicator documents that pest pressure cannot be
18 reasonably managed through integrated pest management or other less harmful pesticides;

19 (B) Application is performed by a state certified applicator and occurs outside of
20 any bloom period of the treated plant; and

21 (C) For any aerial or airborne application as per recommended usage.

22 II. With regard to neonicotinoid use on state property the pesticide control board may
23 determine that no neonicotinoid pesticides shall be used on any property owned, leased, or managed
24 by the state of New Hampshire, including but not limited to state parks, forests, recreational areas,
25 highway rights-of-way, leased lands, and grounds surrounding state buildings, except:

26 (a) For control of invasive species;

27 (b) For structural pest control within state buildings when applied by licensed pest
28 control operators; or

29 (c) Exemptions approved by the pesticide division of the department of agriculture on an
30 “as needed” basis meeting the following conditions:

31 (1) The state certified applicator documents that pest pressure cannot be reasonably
32 managed through integrated pest management or other less harmful pesticides;

33 (2) Application is performed by a state certified applicator and occurs outside of any
34 bloom period of the treated plant; and

35 (3) For any aerial or airborne application as per recommended usage.

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1 III. The pesticide control board shall devise a plan to notify apiaries registered with the
2 department of agriculture, markets, and food when neonicotinoid pesticides will be applied in areas
3 that may affect their hives.

4 IV. The pesticide control board shall have all plans for restricted use of neonicotinoid
5 pesticides in place by January 1, 2027.

6 2 Effective Date. This act shall take effect upon passage.

HB 1431-FN- FISCAL NOTE
AS AMENDED BY THE HOUSE (AMENDMENT # 2026-0465h)

AN ACT restricting the use of neonicotinoid pesticides.

FISCAL IMPACT:

Estimated State Impact				
	FY 2026	FY 2027	FY 2028	FY 2029
Revenue	\$0	\$0	\$0	\$0
<i>Revenue Fund</i>	None			
Expenditures*	Indeterminable			
<i>Funding Source</i>	General Fund			
Appropriations*	\$0	\$0	\$0	\$0
<i>Funding Source</i>	None			

*Expenditure = Cost of bill

*Appropriation = Authorized funding to cover cost of bill

Estimated Political Subdivision Impact				
	FY 2026	FY 2027	FY 2028	FY 2029
County Revenue	\$0	\$0	\$0	\$0
County Expenditures	Indeterminable			
Local Revenue	\$0	\$0	\$0	\$0
Local Expenditures	Indeterminable			

METHODOLOGY:

This bill adds, deletes, or modifies a criminal penalty, or changes statute to which there is a penalty for violation. Therefore, this bill may have an impact on the judicial and correctional systems, which could affect prosecution, incarceration, probation, and parole costs, for the state, as well as county and local governments. A summary of such costs can be found at: https://gencourt.state.nh.us/lba/Budget/Fiscal_Notes/JudicialCorrectionalCosts.pdf

AGENCIES CONTACTED:

Judicial Branch, Judicial Council, Department of Justice, Department of Corrections, New Hampshire Association of Counties, and New Hampshire Municipal Association