

Senate File 2316 - Introduced

SENATE FILE 2316
BY STAED

A BILL FOR

1 An Act prohibiting a pesticide containing paraquat, making
2 penalties applicable, and including effective date provisions.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

unofficial

1 Section 1. Section 206.2, Code 2026, is amended by adding the
2 following new subsections:

3 NEW SUBSECTION. 18A. "Paraquat" means any pesticide
4 containing paraquat dichloride or any other chemical form of
5 paraquat.

6 NEW SUBSECTION. 32. "Work group" means the environmental
7 research and sustainable farming advisory work group established
8 pursuant to section 206.33C.

9 Sec. 2. NEW SECTION. **206.33A Paraquat — prohibition.**

10 1. Except as provided in subsection 2, a person shall not
11 offer for sale, sell, purchase, apply, or use a pesticide
12 containing paraquat.

13 2. The department or the department of natural resources may
14 approve the use of paraquat for research purposes only, if the
15 use is conducted under strict safety and reporting protocols as
16 provided by the department overseeing the research.

17 Sec. 3. NEW SECTION. **206.33B Paraquat — reporting**
18 **requirements on current use.**

19 1. By December 31, 2026, any person that currently offers for
20 sale, sells, purchases, applies, or uses a pesticide containing
21 paraquat in this state must submit a report to the department
22 and the department of natural resources detailing all of the
23 following:

24 a. The quantity of paraquat used, sold, or distributed in the
25 preceding year.

26 b. The geographic areas of use.

27 c. The types of crops or applications for which paraquat is
28 used.

29 2. The department shall compile the reports submitted to the
30 department pursuant to subsection 1 into a statewide paraquat
31 use report. The report shall be published and maintained on the
32 department's internet site.

33 3. This section is repealed July 1, 2032.

34 Sec. 4. NEW SECTION. **206.33C Paraquat — environmental**
35 **research and sustainable farming advisory work group —**

1 **establishment and membership.**

2 1. An environmental research and sustainable farming advisory
3 work group is established.

4 2. The work group shall include all of the following voting
5 members:

6 a. The secretary of agriculture or the secretary's designee.

7 b. The director of the department of natural resources or a
8 designee.

9 c. The following members appointed by the governor:

10 (1) Not more than five individuals, each of whom is an
11 academic researcher with expertise in toxicology, environmental
12 science, or sustainable agriculture.

13 (2) Not more than five individuals, each of whom represents
14 farmers or agricultural industry organizations.

15 (3) Not more than five individuals, each of whom represents a
16 public health and environmental advocacy organization.

17 3. All members of the work group are voting members.

18 4. A vacancy of a member on the work group shall be filled in
19 the same manner as the original appointment.

20 5. This section is repealed July 1, 2032.

21 **Sec. 5. NEW SECTION. 206.33D Paraquat — work group —**
22 **administration.**

23 1. The work group shall be housed in the department of
24 agriculture and land stewardship. The department shall provide
25 the work group with facilities, materials, and administrative
26 support.

27 2. The work group shall hold its first meeting not later than
28 July 1, 2026. Meetings of the work group may be convened by
29 the chairperson of the work group or by a majority of work group
30 voting members. However, the first meeting of the work group
31 shall be convened by the governor.

32 3. The work group shall elect a chairperson and vice
33 chairperson from the membership of the work group.

34 4. A majority of the members of the work group constitutes a
35 quorum. Any action taken by the work group must be adopted by

1 the affirmative vote of a majority of its membership. A task
2 force member's designee may vote on work group matters in the
3 absence of the member.

4 5. Private members of the task force shall not receive a per
5 diem but shall be reimbursed by the department of agriculture and
6 land stewardship for actual expenses.

7 6. This section is repealed July 1, 2032.

8 Sec. 6. NEW SECTION. **206.33E Paraquat — environmental**
9 **research and sustainable farming advisory work group — duties.**

10 1. The work group shall do all of the following:

11 a. Review the environmental and public health impacts
12 of paraquat and other hazardous pesticides that may cause
13 neurological diseases.

14 b. Identify best practices and opportunities for sustainable
15 and safer alternatives in agriculture.

16 2. The work group shall submit an annual report to the
17 governor and general assembly not later than December 31, 2027,
18 and by that date each subsequent year until the work group
19 submits a final report by December 31, 2031.

20 3. Each report shall include all of the following:

21 a. Findings and recommendations for ongoing environmental
22 research and potential funding mechanisms.

23 b. Recommendations for future legislative or policy actions
24 to support sustainable agriculture and public health.

25 4. This section is repealed July 1, 2032.

26 Sec. 7. EFFECTIVE DATE. The following, being deemed of
27 immediate importance, take effect upon enactment:

28 1. The section of this Act amending section 206.2.

29 2. The sections of this Act enacting sections 206.33B,
30 206.33C, 206.33D, and 206.33E.

31 Sec. 8. EFFECTIVE DATE. The following takes effect January
32 1, 2027:

33 The section of this Act enacting section 206.33A.

34 **EXPLANATION**

35 The inclusion of this explanation does not constitute agreement with

1 the explanation's substance by the members of the general assembly.

2 BACKGROUND. State law regulates the offer for sale,
3 distribution, purchase, and use of pesticides as administered and
4 enforced by the department of agriculture and land stewardship
5 (DALs) (Code chapter 206). A pesticide is broadly defined to
6 include a substance used to control insects, rodents, nematodes,
7 fungi, and weeds (Code section 206.2). The Code chapter includes
8 provisions that prohibit specific chemicals to be contained in
9 pesticides such as chlordane (Code section 206.32) and daminozide
10 (Code section 206.33).

11 BILL'S PROVISIONS — PARAQUAT PROHIBITION. This bill prohibits
12 a person from offering for sale, selling, purchasing, applying,
13 or using a pesticide containing paraquat. DALs or the department
14 of natural resources (DNR) may approve the use of paraquat for
15 research purposes only, if the use is conducted under strict
16 safety and reporting protocols.

17 BILL'S PROVISIONS — PARAQUAT — REPORTING REQUIREMENTS
18 REGARDING PARAQUAT IN CURRENT USE. The bill requires that by
19 December 31, 2026, any person that currently offers for sale,
20 sells, purchases, applies, or uses a pesticide containing
21 paraquat in this state must submit a report to DALs and DNR
22 regarding the distribution, application, and use of the chemical.
23 DALs must to consolidate and publish the reported information on
24 its internet site.

25 BILL'S PROVISIONS — PARAQUAT — ENVIRONMENTAL RESEARCH AND
26 SUSTAINABLE FARMING ADVISORY WORK GROUP. The bill establishes
27 an environmental research and sustainable farming advisory work
28 group (work group). The work group is housed in DALs, which
29 must provide the work group with administrative support. The
30 work group includes the secretary of agriculture or a designee,
31 the director of DNR or a designee, and individuals appointed by
32 the governor who are (1) academic researchers with expertise in
33 toxicology, environmental science, or sustainable agriculture,
34 (2) individuals representing farmers and agricultural industry
35 organizations, and (3) individuals representing public health and

1 environmental advocacy organizations. The work group must (1)
2 review the environmental and public health impacts of paraquat
3 and other hazardous pesticides that may cause neurological
4 diseases and (2) identify best practices and opportunities for
5 sustainable and safer alternatives in agriculture. Beginning
6 not later than December 31, 2027, the work group must submit
7 an annual report, including findings and recommendations, to the
8 governor and general assembly for the next five years.

9 APPLICABLE PENALTIES. Generally, a person who violates a
10 provision of Code chapter 206 is subject to a civil penalty of
11 not more than \$500 (Code section 206.19). A person who violates
12 a provision of that Code chapter is also guilty of a serious
13 misdemeanor (Code section 206.22). A serious misdemeanor is
14 punishable by confinement for no more than one year and a fine
15 of at least \$430 but not more than \$2,560.

16 EFFECTIVE DATES. The bill takes effect upon enactment except
17 for the provision that prohibits a person from offering for sale,
18 selling, purchasing, applying, or using a pesticide containing
19 paraquat. That provision takes effect January 1, 2027.