

**Second Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO**

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 26-0091.01 Richard Sweetman x4333

HOUSE BILL 26-1132

HOUSE SPONSORSHIP

Froelich,

SENATE SPONSORSHIP

Kipp,

House Committees

Agriculture, Water & Natural Resources
Finance

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING INCREASING POLLINATOR HABITATS THROUGH THE**
102 **CONSERVATION OF NATIVE PLANT MATERIAL ON LANDS IN THE**
103 **STATE.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

The bill encourages the state forest service, the department of natural resources, the department of personnel, and the department of transportation (covered agency) to prioritize the use of in-state sources of ecoregionally specific plant material that supports pollinator habitats when certain conditions are met. In planning and executing a vegetation

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
*Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.*

project, each covered agency is required to satisfy certain requirements.

To the extent practicable, each covered agency shall coordinate with the other covered agencies with regard to purchasing.

Each covered agency shall establish a training program for land managers and maintenance crews that includes certain minimum components.

To the extent practicable, each covered agency shall integrate mowing and grazing based on recommendations included in the 2022 study commissioned by the department of natural resources pursuant to Senate Bill 22-199.

The bill requires the office of the state architect to support and encourage the development and renovation of sustainable sites to maximize pollinator health on properties within the state capitol complex, other state buildings, and, where applicable, on leased property.

The bill requires the Colorado state university extension (extension) to perform a Colorado native plant availability study in consultation with certain parties. On or before August 1, 2031, the extension shall issue a report summarizing the results of the study. The extension shall make the report publicly available on its website and provide copies of the report to the governor and specified legislative committees of reference.

The extension may seek, accept, and expend gifts, grants, and donations for the purpose of implementing the bill. The extension is not required to perform the study or issue a report unless and until the extension acquires sufficient gifts, grants, and donations to pay for the performance of such duties.

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

2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 finds that:

4 (a) Native plants are species that have evolved over thousands of
5 years in ecosystems and are adapted to the local climate, soil, hydrology,
6 and interactions with wildlife;

7 (b) Colorado is home to a diverse array of at least 3,300 native
8 plant species that support critical ecosystem functions, promote
9 biodiversity, and contribute to the state's natural heritage and scenic
10 beauty;

1 (c) Native plants form the foundation of essential habitat and food
2 sources for pollinators, birds, and other wildlife species, many of which
3 are in decline due to habitat loss, urbanization, drought, climate change,
4 invasive species, and other environmental stressors;

5 (d) Increasing the availability and diversity of native plant
6 materials used in landscaping, habitat restoration, agriculture, and
7 conservation efforts helps to conserve water resources, prevent soil
8 erosion, and improve resilience to drought and wildfire;

9 (e) Promoting the propagation, protection, and use of native plants
10 supports the objectives of Colorado's outdoors strategy, the division of
11 parks and wildlife's statewide habitat conservation and connectivity plan,
12 the state wildlife action plan, Colorado's climate preparedness roadmap,
13 and other state and local environmental initiatives;

14 (f) Coordination among state agencies, growers, seed suppliers,
15 and community partners is essential to ensure access to native plant
16 materials; and

17 (g) Colorado has an opportunity and a responsibility to lead by
18 example by creating a statewide framework to align efforts, increase
19 availability and diversity of native plants, and use collective buying
20 power to reduce the costs of native plant materials to protect Colorado's
21 environment for future generations.

22 (2) The general assembly further finds that:

23 (a) In 2022, in response to Senate Bill 22-199, the department of
24 natural resources commissioned a collaborative study on native
25 pollinating insects;

26 (b) The study was conducted by the Colorado state university
27 extension, the Xerces Society for Invertebrate Conservation, and the

1 university of Colorado museum of natural history, in consultation with
2 state and federal agencies, researchers, scientists, and land managers
3 across the state;

4 (c) The study documents how Colorado is home to a rich
5 community of native insects whose pollinating services are at the heart of
6 healthy environments and economies, but concludes that, overall, the
7 status of Colorado's native pollinating insects is tenuous, with the primary
8 drivers of decline being habitat loss, inadequate land-management
9 practices, pesticides, competition from nonnative species, and climate
10 change, among others; and

11 (d) The study states that promoting policies that benefit native
12 pollinating insects and increase the native plants on which they depend
13 represents the biggest opportunity to foster healthy and sustainable
14 pollinator populations, especially in agricultural and urban habitats, and
15 identifies the 5 highest areas of immediate action and priorities as
16 follows:

- 17 (I) Priority 1: Protect imperiled native pollinating insects;
- 18 (II) Priority 2: Protect, restore, and connect pollinator habitats;
- 19 (III) Priority 3: Mitigate environmental changes that negatively
20 impact pollinators and their habitats;
- 21 (IV) Priority 4: Reduce the risks from pesticides to pollinating
22 insects; and
- 23 (V) Priority 5: Monitor and support native and managed pollinator
24 health.

25 (3) The general assembly further finds that in 2024, in House Bill
26 24-1117, the general assembly directed the division of parks and wildlife
27 in the department of natural resources to study and determine the

1 conservation needs of native rare plants and invertebrates and implement
2 voluntary programs to conserve and protect them.

3 (4) Therefore, the general assembly:

4 (a) Declares that it is in the public interest of the state to promote
5 the use, protection, and restoration of native plant species for the benefit
6 of current and future generations; and

7 (b) Encourages public and private stakeholders to take action to
8 conserve Colorado's native plants.

9 **SECTION 2.** In Colorado Revised Statutes, **add** 23-31-322 as
10 follows:

11 **23-31-322. Use of native plants in projects - definitions.**

12 (1) **Definitions.** AS USED IN THIS SECTION, UNLESS THE CONTEXT
13 OTHERWISE REQUIRES:

14 (a) "COVERED AGENCY" MEANS:

15 (I) THE STATE FOREST SERVICE DESCRIBED WITHIN THIS PART 3;

16 (II) THE DEPARTMENT OF NATURAL RESOURCES CREATED IN
17 SECTION 24-1-124; EXCEPT THAT THE STATE BOARD OF LAND
18 COMMISSIONERS DESCRIBED IN ARTICLE 1 OF TITLE 36 IS NOT A COVERED
19 AGENCY;

20 (III) THE DEPARTMENT OF PERSONNEL CREATED IN SECTION
21 24-1-128; AND

22 (IV) THE DEPARTMENT OF TRANSPORTATION CREATED IN SECTION
23 24-1-128.7.

24 (b) "ECOREGIONALLY SPECIFIC" MEANS THAT PLANT MATERIALS
25 ARE SPECIFIC TO A LEVEL III ECOREGION, AS DESIGNATED BY THE UNITED
26 STATES ENVIRONMENTAL PROTECTION AGENCY.

27 (c) "NATIVE PLANT" HAS THE MEANING SET FORTH IN SECTION

1 35-5.5-103 (15).

2 (d) "PROJECT" MEANS A RESTORATION, RENOVATION,
3 LANDSCAPING, NEW CONSTRUCTION, OR INFRASTRUCTURE PROJECT THAT:

4 (I) IS ON STATE-OWNED LAND;

5 (II) IS MANAGED ENTIRELY BY ONE OR MORE STATE AGENCIES;

6 (III) INCLUDES THE INSTALLATION OR PLANTING OF VEGETATION;

7 AND

8 (IV) DOES NOT RELY SOLELY OR PARTIALLY ON FUNDING FROM
9 STATE GRANTS OR LOANS.

10 (e) "PUBLIC-PRIVATE PARTNERSHIP" HAS THE MEANING SET FORTH
11 IN SECTION 24-94-102 (8).

12 (f) "REGIONAL NURSERY" MEANS A PRIVATELY OWNED NURSERY
13 THAT COORDINATES WITH THE STATE FOREST SERVICE AND THE STATE
14 NURSERY.

15 (g) "SEED WAREHOUSE" MEANS THE ESCALANTE STATE WILDLIFE
16 AREA SEED STORAGE BUILDING OPERATED BY THE DIVISION OF PARKS AND
17 WILDLIFE WITHIN THE DEPARTMENT OF NATURAL RESOURCES.

18 (h) "STATE NURSERY" MEANS THE STATE NURSERY OPERATED BY
19 THE STATE FOREST SERVICE.

20 (i) "STUDY" MEANS THE COLLABORATIVE STUDY ON NATIVE
21 POLLINATING INSECTS COMMISSIONED BY THE DEPARTMENT OF NATURAL
22 RESOURCES IN 2022 IN RESPONSE TO SENATE BILL 22-199.

23 (2) **Use of native plants in projects.**

24 (a) EACH COVERED AGENCY IS ENCOURAGED TO PRIORITIZE THE
25 USE OF ECOREGIONALLY SPECIFIC NATIVE PLANT MATERIAL THAT
26 SUPPORTS POLLINATOR HABITATS WHEN:

27 (I) SUCH PLANT MATERIAL IS AVAILABLE;

1 (II) SUCH USE IS FINANCIALLY VIABLE; AND

2 (III) SUCH PLANT MATERIAL CAN BE USED IN A MANNER THAT
3 FURTHERS PLANT DIVERSITY, INCREASES POLLINATOR HABITAT, MINIMIZES
4 WILDFIRE HAZARD MITIGATION, ENHANCES CLIMATE RESILIENCE, AND
5 PROTECTS WATERSHED HEALTH.

6 (b) IN PLANNING AND EXECUTING A PROJECT, EACH COVERED
7 AGENCY SHALL:

8 (I) BALANCE THE BENEFITS OF USING NATIVE PLANT MATERIAL
9 WITH OTHER PRIORITIES, INCLUDING WILDFIRE RISK REDUCTION; CLIMATE
10 RESILIENCE; SPECIES PROTECTION AND RECOVERY; FEDERALLY LISTED,
11 ENDANGERED, AND THREATENED SPECIES PROTECTION; NOXIOUS WEED
12 CONTROL; PUBLIC SAFETY; AGRICULTURAL PRODUCTION; AND EQUITY AND
13 ENVIRONMENTAL JUSTICE CONSIDERATIONS;

14 (II) CONSIDER ECOLOGICAL SUITABILITY, SITE-SPECIFIC
15 CONDITIONS, AND AVAILABILITY OF PLANT MATERIALS WHEN SELECTING
16 NATIVE PLANTS; ■

17 (III) TO THE EXTENT PRACTICABLE, INCLUDE MULTIPLE SPECIES
18 WITH OVERLAPPING BLOOM PERIODS, INCLUDING A DIVERSITY OF FLOWER
19 SHAPES AND COLORS, TO PROVIDE NECTAR AND POLLEN RESOURCES
20 THROUGHOUT THE GROWING SEASON; AND

21 (IV) TO THE EXTENT PRACTICAL, INCLUDE A MIXTURE OF GRASSES,
22 FORBS, SHRUBS, AND TREES IN ORDER TO PROVIDE A DIVERSE VEGETATIVE
23 STRUCTURE.

24 (c) EACH COVERED AGENCY SHALL INTEGRATE INTO ITS PLANNING
25 PROCESSES FIVE-YEAR AND TEN-YEAR GOALS FOR NATIVE PLANT
26 MATERIAL USE IN THEIR PROJECTS.

27 (3) **Coordinated purchasing and supply development.**

1 (a) TO THE EXTENT PRACTICABLE, EACH COVERED AGENCY SHALL
2 COORDINATE WITH THE OTHER COVERED AGENCIES WITH REGARD TO
3 PURCHASING IN ORDER TO:

4 (I) INCREASE DEMAND FOR ECOREGIONALLY SPECIFIC NATIVE
5 PLANT MATERIAL BUSINESS GROWTH OPPORTUNITIES;

6 (II) REDUCE COSTS THROUGH PURCHASING POWER;

7 (III) ENSURE SUPPLY OF APPROPRIATE NATIVE PLANT MATERIAL
8 AND REASONABLE PROPAGATION AND GROWING TIMELINES;

9 (IV) USE THEIR COLLECTIVE BUYING POWER TO CREATE AN
10 INCREASED SUPPLY OF NATIVE PLANTS AND NATIVE PLANT SEEDS; AND

11 (V) ENHANCE THE SUPPLY OF, AND ACCESS TO, ECOREGIONALLY
12 SPECIFIC NATIVE PLANT MATERIAL IN STATE AND PRIVATE NURSERIES AND
13 IN STATE COLLECTIONS OF SEEDS TO INCREASE ACCESS AND DIVERSITY.

14 (b) EACH COVERED AGENCY, IN FULFILLING ITS DUTIES UNDER THIS
15 SECTION, SHALL COORDINATE WITH THE SEED WAREHOUSE, THE STATE
16 NURSERY, AND REGIONAL NURSERIES. THE STATE NURSERY SHALL
17 ANNUALLY SHARE ITS INVENTORY WITH COVERED AGENCIES WHEN THE
18 SPRING INVENTORY IS ESTABLISHED.

19 (c) A COVERED AGENCY MAY ENTER INTO A PUBLIC-PRIVATE
20 PARTNERSHIP FOR SEED COLLECTION ON STATE LANDS.

21 **(4) Training on native plants.**

22 (a) EACH COVERED AGENCY, SUBJECT TO AVAILABLE FUNDING,
23 SHALL ESTABLISH A TRAINING PROGRAM FOR RELEVANT STAFF, AS
24 DETERMINED BY THE COVERED AGENCY, THAT INCLUDES:

25 (I) IDENTIFICATION OF NATIVE PLANTS, IMPORTANT FLORAL AND
26 HOST PLANTS, AND POLLINATOR HOST SPECIES; AND

27 (II) BEST PRACTICES FOR POLLINATOR CONSERVATION AND NATIVE

1 PLANT ESTABLISHMENT.

2 (b) IN FULFILLING ITS DUTIES UNDER THIS SUBSECTION (4), A
3 COVERED AGENCY MAY SEEK, ACCEPT, AND EXPEND AVAILABLE FEDERAL
4 RESOURCES REGARDING THE MANAGEMENT OF NATIVE PLANTS.

5 (c) A COVERED AGENCY MAY SEEK AND ENTER INTO PRIVATE
6 PARTNERSHIPS TO DEVELOP THE TRAINING PROGRAM DESCRIBED IN THIS
7 SUBSECTION (4) SO LONG AS THE PRIVATE PARTNERS HAVE EXPERTISE IN
8 POLLINATOR HEALTH, CLIMATE CHANGE, ECOLOGICAL PROCESSES AND
9 RESILIENCE, BIODIVERSITY, NATIVE PLANTS, OR ECOLOGICAL LAND
10 MANAGEMENT.

11 (5) **Land management practices.**

12 (a) ON AND AFTER JANUARY 1, 2028, TO THE EXTENT
13 PRACTICABLE, EACH COVERED AGENCY SHALL INTEGRATE MOWING AND
14 GRAZING BASED ON RECOMMENDATIONS INCLUDED IN THE STUDY.

15 (b) EACH COVERED AGENCY, AS APPROPRIATE, SHALL:

16 (I) ESTABLISH POLLINATOR HABITAT ZONES ON ROADWAYS AND ON
17 PUBLIC LANDS;

18 (II) USE SIGNAGE TO IDENTIFY SUCH ZONES; AND

19 (III) PROHIBIT THE MOWING OF GRASS WITHIN SUCH A ZONE,
20 EXCEPT AS MAY BE NECESSARY FOR PUBLIC SAFETY.

21 (c) EACH COVERED AGENCY SHALL INCORPORATE INTERSEEDING,
22 OVERSEEDING, AND TRANSPLANTING OF NATIVE PLANTS AND NATIVE
23 PLANT MATERIALS, INCLUDING FOR THE RESTORATION OF NATIVE
24 HABITATS.

25 **SECTION 3.** In Colorado Revised Statutes, 24-30-1303, **add**
26 (1)(gg) as follows:

27 **24-30-1303. Office of the state architect - responsibilities.**

- 1 (1) The office of the state architect shall:
- 2 (gg) SUPPORT AND ENCOURAGE THE DEVELOPMENT AND
- 3 RENOVATION OF SUSTAINABLE SITES TO MAXIMIZE POLLINATOR HEALTH
- 4 ON PROPERTIES WITHIN THE STATE CAPITOL COMPLEX, OTHER STATE
- 5 BUILDINGS, AND, WHERE APPLICABLE, ON LEASED PROPERTY, INCLUDING
- 6 BY:
- 7 (I) MAXIMIZING THE USE OF NATIVE PLANT MATERIAL AND
- 8 POLLINATOR-FRIENDLY PLANTS IN LANDSCAPE DESIGN PLANS;
- 9 (II) MODIFYING THE STATE'S DESIGN GUIDELINES TO INCORPORATE
- 10 NATIVE PLANTS AND POLLINATOR-FRIENDLY PLANTS;
- 11 (III) ENSURING THAT STATE-FUNDED PROJECTS USE
- 12 PESTICIDE-FREE MANAGEMENT PRACTICES TO THE EXTENT PRACTICABLE;
- 13 AND
- 14 (IV) TO THE EXTENT PRACTICABLE, ENSURING THAT STATE
- 15 CONTRACTS FOR THE PURCHASE OF PLANTS REQUIRE SUCH PLANTS TO NOT
- 16 CONTAIN SYNTHETIC PESTICIDES.

17 **SECTION 4.** In Colorado Revised Statutes, **add** 23-31-708 as

18 follows:

19 **23-31-708. Colorado native plant availability study - legislative**

20 **declaration - consulting parties - study components - gifts, grants,**

21 **and donations - report - definition - repeal.**

- 22 (1) **Legislative declaration.**
- 23 (a) THE GENERAL ASSEMBLY FINDS THAT:
- 24 (I) THE COLLABORATIVE STUDY ON NATIVE POLLINATING INSECTS
- 25 COMMISSIONED BY THE DEPARTMENT OF NATURAL RESOURCES IN 2022 IN
- 26 RESPONSE TO SENATE BILL 22-199 IDENTIFIED HABITAT LOSS AS A
- 27 PRIMARY THREAT TO POLLINATOR HEALTH AND THE INSUFFICIENT

1 AVAILABILITY OF NECESSARY NATIVE PLANTS AND SEEDS AS A MAJOR
2 LIMITING FACTOR TO CREATING POLLINATOR HABITATS; AND

3 (II) THE STUDY ALSO RECOMMENDED THAT THE STATE TAKE
4 ACTION TO ENCOURAGE THE INCREASE OF NATIVE PLANT AND SEED
5 PRODUCTION AND USE STATEWIDE.

6 (b) THE GENERAL ASSEMBLY ALSO FINDS THAT:

7 (I) DESPITE GROWING INTEREST IN NATIVE PLANTS, COLORADO
8 LACKS A COMPREHENSIVE, COORDINATED UNDERSTANDING OF STATEWIDE
9 NATIVE PLANT SUPPLY AND DEMAND, INCLUDING AN UNDERSTANDING OF:

10 (A) BARRIERS FACED BY GROWERS, DISTRIBUTORS, LAND
11 MANAGERS, AND CONSUMERS; AND

12 (B) OPPORTUNITIES FOR IMPROVING THE SUPPLY OF NATIVE PLANT
13 MATERIAL;

14 (II) STRATEGIC STATE COORDINATION CAN STRENGTHEN PRIVATE
15 MARKETS, REDUCE RISK FOR GROWERS, SUPPORT CONSERVATION GOALS,
16 AND ENSURE THAT PUBLIC INVESTMENTS IN RESTORATION AND
17 LANDSCAPING ACHIEVE LONG-TERM ECOLOGICAL BENEFITS; AND

18 (III) THE SERVICE, IN PARTNERSHIP WITH STATE AGENCIES AND
19 STAKEHOLDERS, IS UNIQUELY POSITIONED TO CONDUCT A RIGOROUS,
20 IMPARTIAL, AND APPLIED STUDY TO INFORM MARKET DEVELOPMENT.

21 (c) THEREFORE, THE GENERAL ASSEMBLY DECLARES THAT IT IS IN
22 THE BEST INTERESTS OF THE STATE TO DIRECT THE SERVICE TO PERFORM
23 A STATEWIDE STUDY TO ASSESS THE NATIVE PLANT SUPPLY CHAIN.

24 (2) **Study - consulting agencies - definition.** THE SERVICE SHALL
25 PERFORM A COLORADO NATIVE PLANT AVAILABILITY STUDY, REFERRED TO
26 IN THIS SECTION AS THE "STUDY". IN PERFORMING THE STUDY, THE
27 SERVICE SHALL CONSULT WITH:

- 1 (a) THE DEPARTMENT OF AGRICULTURE;
- 2 (b) THE DEPARTMENT OF NATURAL RESOURCES;
- 3 (c) THE DEPARTMENT OF TRANSPORTATION;
- 4 (d) THE STATE FOREST SERVICE;
- 5 (e) SEED AND PLANT WAREHOUSES AND NURSERIES IN THE STATE;
- 6 (f) PUBLIC AND PRIVATE NATIVE SEED AND PLANT GROWERS;
- 7 (g) LANDSCAPE PROFESSIONALS, RESTORATION CONTRACTORS,
- 8 AND NURSERY OPERATORS;
- 9 (h) TRIBAL GOVERNMENTS, WHERE APPROPRIATE;
- 10 (i) LOCAL GOVERNMENTS AND WATER PROVIDERS; AND
- 11 (j) CONSERVATION ORGANIZATIONS AND RESEARCHERS.

12 **(3) Study scope and requirements.**

13 (a) THE STUDY MUST INCLUDE AN ANALYSIS OF THE SUPPLY OF
14 NATIVE PLANT MATERIAL IN THE STATE, WHICH ANALYSIS INCLUDES:

15 (I) AN ASSESSMENT OF CURRENT NATIVE PLANT AND SEED
16 PRODUCTION IN COLORADO, INCLUDING:

- 17 (A) SPECIES AVAILABILITY;
- 18 (B) PRODUCTION CAPACITY;
- 19 (C) GEOGRAPHIC DISTRIBUTION OF GROWERS AND SELLERS; AND

20 

21 (D) CONSTRAINTS, SUCH AS LAND, LABOR, WATER, SOURCE SEED
22 AND PLANT ACCESS, GENETICS, AND REGULATORY BARRIERS;

23 (II) IDENTIFICATION OF POSSIBLE GROWER CONCERNS, INCLUDING
24 BUT NOT LIMITED TO:

- 25 (A) MARKET UNCERTAINTY AND INCONSISTENT DEMAND;
- 26 (B) UP-FRONT INVESTMENT RISKS;
- 27 (C) SEED AND PLANT SOURCING AND GENETIC INTEGRITY;

1 (D) CONTRACT RELIABILITY AND PAYMENT TIMING; AND

2 (E) PROPAGATION COMPLEXITIES AND KNOWLEDGE GAPS
3 CONCERNING NATIVE SPECIES; AND

4 (III) EVALUATION OF WEAK POINTS IN THE SUPPLY CHAIN,
5 INCLUDING CONSIDERATION OF:

6 (A) SEED COLLECTION AND STORAGE;

7 (B) DISTRIBUTION AND TRANSPORTATION CHALLENGES; AND

8 (C) REGIONAL MISMATCHES BETWEEN PRODUCTION AND DEMAND.

9 [REDACTED]

10 (b) THE STUDY MUST CONSIDER EDUCATION, TECHNICAL
11 ASSISTANCE, AND KNOWLEDGE GAPS, INCLUDING;

12 (I) IDENTIFICATION OF GAPS IN CURRENT KNOWLEDGE AMONG
13 GROWERS, DESIGNERS, CONTRACTORS, AND CONSUMERS;

14 (II) EVALUATION OF EXISTING EDUCATION PROGRAMS AND
15 IDENTIFICATION OF UNMET NEEDS; AND

16 (III) RECOMMENDATIONS FOR TARGETED EDUCATION, TECHNICAL
17 ASSISTANCE, AND WORKFORCE DEVELOPMENT, INCLUDING THE ROLE OF
18 THE SERVICE.

19 (c) THE STUDY MUST INCLUDE BEST PRACTICES [REDACTED] FOR ACQUIRING
20 AND USING NATIVE PLANTS AND SEEDS IN THE STATE, INCLUDING
21 IDENTIFICATION OF:

22 (I) BEST PRACTICES FROM COLORADO AND OTHER STATES FOR
23 EXPANDING NATIVE PLANT MARKETS;

24 (II) INCREMENTAL STRATEGIES TO GROW SUPPLY AND DEMAND
25 CONCURRENTLY; AND

26 (III) POTENTIAL INCENTIVES, INCLUDING CONTRACTING AND
27 INCENTIVE REFORMS, COST-SHARE PROGRAMS, PILOT PURCHASE

1 AGREEMENTS, CERTIFICATION OR LABELING PROGRAMS, AND
2 PUBLIC-PRIVATE PARTNERSHIPS.

3 (4) **Report.**

4 (a) ON OR BEFORE AUGUST 1, 2031, THE SERVICE SHALL ISSUE A
5 REPORT SUMMARIZING THE RESULTS OF THE STUDY. THE SERVICE SHALL
6 MAKE THE REPORT PUBLICLY AVAILABLE ON ITS WEBSITE AND PROVIDE
7 COPIES OF THE REPORT TO:

8 (I) THE GOVERNOR; AND

9 (II) THE AGRICULTURE, WATER, AND NATURAL RESOURCES
10 COMMITTEE OF THE HOUSE OF REPRESENTATIVES AND THE AGRICULTURE
11 AND NATURAL RESOURCES COMMITTEE OF THE SENATE, OR TO ANY
12 SUCCESSOR COMMITTEES.

13 (b) THE REPORT MUST INCLUDE RECOMMENDATIONS, INCLUDING:

14 (I) SHORT-TERM, MEDIUM-TERM, AND LONG-TERM STRATEGIES TO
15 INCREASE SUPPLY █ OF NATIVE PLANTS AND SEEDS INCREMENTALLY;

16 █

17 (II) OPPORTUNITIES FOR PUBLIC-PRIVATE PARTNERSHIPS; AND

18 (III) METRICS TO MEASURE PROGRESS AND EFFECTIVENESS OVER
19 TIME.

20 (5) **Gifts, grants, and donations.**

21 (a) THE SERVICE MAY SEEK, ACCEPT, AND EXPEND GIFTS, GRANTS,
22 AND DONATIONS FROM PRIVATE OR PUBLIC SOURCES FOR THE PURPOSE OF
23 IMPLEMENTING THIS SECTION.

24 (b) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE
25 CONTRARY:

26 (I) EXCEPT AS DESCRIBED IN SUBSECTION (5)(b)(II) OF THIS
27 SECTION, THE SERVICE IS NOT REQUIRED TO PERFORM THE DUTIES

1 DESCRIBED IN THIS SECTION UNLESS AND UNTIL THE SERVICE ACQUIRES
2 SUFFICIENT GIFTS, GRANTS, AND DONATIONS TO PAY FOR THE
3 PERFORMANCE OF SUCH DUTIES ON OR BEFORE AUGUST 1, 2030; AND

4 (II) THE SERVICE MAY IMPLEMENT THE STUDY IN PHASES IF
5 SUFFICIENT GIFTS, GRANTS, AND DONATIONS ARE RECEIVED IN
6 INCREMENTS.

7 (6) **Repeal.** THIS SECTION IS REPEALED, EFFECTIVE SEPTEMBER 1,
8 2031.

9 **SECTION 5. Act subject to petition - effective date.** This act
10 takes effect at 12:01 a.m. on the day following the expiration of the
11 ninety-day period after final adjournment of the general assembly (August
12 12, 2026, if adjournment sine die is on May 13, 2026); except that, if a
13 referendum petition is filed pursuant to section 1 (3) of article V of the
14 state constitution against this act or an item, section, or part of this act
15 within such period, then the act, item, section, or part will not take effect
16 unless approved by the people at the general election to be held in
17 November 2026 and, in such case, will take effect on the date of the
18 official declaration of the vote thereon by the governor.