
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2470 Session of
2024

INTRODUCED BY PIELLI, HILL-EVANS, OTTEN, HOHENSTEIN, GIRAL,
KHAN, SCHLOSSBERG, SANCHEZ, SHUSTERMAN, ROZZI, SCHMITT,
KENYATTA, STEELE, VITALI, HOWARD, SALISBURY, WAXMAN, O'MARA,
PROBST, BOYD, HADDOCK, CONKLIN AND BURGOS, JULY 1, 2024

REFERRED TO COMMITTEE ON AGRICULTURE AND RURAL AFFAIRS,
JULY 1, 2024

AN ACT

1 Providing for duties of Commonwealth agencies regarding
2 insecticide-free native plants and for duties of Department
3 of Conservation and Natural Resources regarding pollinator
4 habitats and insecticide-free native plants.

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 Section 1. Short title.

8 This act shall be known and may be cited as the Native
9 Habitats at Commonwealth Facilities Act.

10 Section 2. Definitions.

11 The following words and phrases when used in this act shall
12 have the meanings given to them in this section unless the
13 context clearly indicates otherwise:

14 "Commonwealth agency." Any of the following:

15 (1) Any office, department, authority, board, multistate
16 agency or commission of the executive branch, an independent
17 agency and a State-affiliated entity. The term includes:

1 (i) The Governor's Office.

2 (ii) The Office of Attorney General, the Department
3 of the Auditor General and the Treasury Department.

4 (iii) An organization established by the
5 Constitution of Pennsylvania, a statute or an executive
6 order which performs or is intended to perform an
7 essential governmental function.

8 (2) The term does not include a judicial or legislative
9 agency.

10 "Commonwealth project." A construction or maintenance
11 activity that is conducted by a Commonwealth agency or at a
12 Commonwealth facility that involves landscape planting
13 improvements.

14 "Department." The Department of Conservation and Natural
15 Resources of the Commonwealth.

16 "Independent agency." Any board, commission or other agency
17 or officer of the Commonwealth that is not subject to the policy
18 supervision and control of the Governor. The term does not
19 include a legislative or judicial agency.

20 "Judicial agency." A court of the Commonwealth or any other
21 entity or office of the unified judicial system.

22 "Legislative agency." Any of the following:

23 (1) The Senate.

24 (2) The House of Representatives.

25 (3) The Capitol Preservation Committee.

26 (4) The Center for Rural Pennsylvania.

27 (5) The Joint Legislative Air and Water Pollution
28 Control and Conservation Committee.

29 (6) The Joint State Government Commission.

30 (7) The Legislative Budget and Finance Committee.

- 1 (8) The Legislative Data Processing Committee.
- 2 (9) The Independent Regulatory Review Commission.
- 3 (10) The Legislative Reference Bureau.
- 4 (11) The Local Government Commission.
- 5 (12) The Pennsylvania Commission on Sentencing.
- 6 (13) The Legislative Reapportionment Commission.
- 7 (14) The Legislative Office for Research Liaison.
- 8 (15) The Legislative Audit Advisory Commission.

9 "Pollinator meadow." An area of native vegetation consisting
10 of more than 50% native wildflowers that meets all of the
11 following requirements:

12 (1) The vegetation has the floral resources present
13 throughout the growing season and host plants for the larvae
14 of monarch butterflies and other native pollinators to
15 provide for the entire life cycle of monarch butterflies and
16 other native pollinators.

17 (2) The vegetation was established from seed mixes
18 comprised of at least 0.5% native milkweed seed.

19 (3) The vegetation is protected from insecticide
20 exposure.

21 "State-affiliated entity." A Commonwealth authority or
22 Commonwealth entity. The term includes the Pennsylvania Higher
23 Education Assistance Agency and any entity established thereby,
24 the Pennsylvania Gaming Control Board, the Pennsylvania Game
25 Commission, the Pennsylvania Fish and Boat Commission, the
26 Pennsylvania Housing Finance Agency, the Pennsylvania Municipal
27 Retirement Board, the State System of Higher Education, a
28 community college, the Pennsylvania Turnpike Commission, the
29 Pennsylvania Public Utility Commission, the Pennsylvania
30 Infrastructure Investment Authority, the State Public School

1 Building Authority, the Pennsylvania Interscholastic Athletic
2 Association and the Pennsylvania Higher Educational Facilities
3 Authority. The term does not include a State-related
4 institution.

5 "State-related institution." Any of the following:

- 6 (1) Temple University.
- 7 (2) The University of Pittsburgh.
- 8 (3) The Pennsylvania State University.
- 9 (4) Lincoln University.

10 Section 3. Duties of Commonwealth agencies regarding
11 insecticide-free native plants.

12 (a) Insecticide-free native plants.--When conducting a
13 Commonwealth project at a Commonwealth facility, a Commonwealth
14 agency shall have the following duties:

15 (1) Prioritize, as feasible with respect to schedule and
16 product supply, the use of insecticide-free native plants
17 over non-native plants when developing green spaces or during
18 landscape planting.

19 (2) Consider the benefits of using insecticide-free
20 native plants at the Commonwealth project, including habitat
21 creation, supporting native pollinators, providing food and
22 shelter to insect and wildlife populations, decreasing soil
23 erosion and landscape water usage, increasing sediment
24 control, controlling storm water runoff and decreasing
25 maintenance needs.

26 (b) Turfgrass and lawns.--When growing turfgrass or lawns at
27 a Commonwealth facility, a Commonwealth agency shall consider
28 the planting of insecticide-free native plants or creating
29 pollinator meadows on appropriate areas of existing or planned
30 turfgrass and lawns, particularly unused areas.

1 (c) Updates.--A Commonwealth agency that maintains
2 Commonwealth facility design standards that are specific to the
3 Commonwealth agency or has landscape and maintenance development
4 standards on the effective date of this subsection shall update
5 the standards to reflect prioritizing insecticide-free native
6 plants.

7 Section 4. Duties of department regarding pollinator habitats
8 and insecticide-free native plants.

9 (a) Pollinator habitats.--The department shall maintain
10 existing pollinator meadows or pollinator gardens on the
11 effective date of this subsection or establish new pollinator
12 meadows or pollinator gardens at resource management centers and
13 State Park offices where space is available to serve as
14 pollinator habitat and demonstration areas for the public.

15 (b) Insecticide-free native plants.--The department shall
16 have the following duties:

17 (1) Maintain and distribute to Commonwealth agencies
18 guidance on the use and maintenance of insecticide-free
19 native plants in Commonwealth projects.

20 (2) Draft a native pollinator conservation plan and
21 revise the plan every five years. The department shall make
22 the native pollinator conservation plan available to
23 Commonwealth agencies and the public. The department shall
24 include the following information in the native pollinator
25 conservation plan:

26 (i) The current status of native pollinators.

27 (ii) The main risks to native pollinators.

28 (iii) The best practices to mitigate the risks to
29 native pollinators.

30 (iv) The current efforts of the department to

1 conserve and protect native pollinators and their
2 habitats.

3 (3) Promulgate regulations specifying which native
4 plants are covered under this act.

5 Section 5. Effective date.

6 This act shall take effect as follows:

7 (1) Section 4 shall take effect in 18 months.

8 (2) The remainder of this act shall take effect
9 immediately.