

Second Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 26-0091.01 Richard Sweetman x4333

HOUSE BILL 26-1132

HOUSE SPONSORSHIP

Froelich,

SENATE SPONSORSHIP

Kipp,

House Committees
Agriculture, Water & Natural Resources

Senate Committees

A BILL FOR AN ACT
101 **CONCERNING INCREASING POLLINATOR HABITATS ON LANDS IN THE**
102 **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 project, each covered agency is required to satisfy certain requirements.

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.

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;

11 (c) Native plants form the foundation of essential habitat and food

1 sources for pollinators, birds, and other wildlife species, many of which
2 are in decline due to habitat loss, urbanization, drought, climate change,
3 invasive species, and other environmental stressors;

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

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

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

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

21 (2) The general assembly further finds that:

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

25 (b) The study was conducted by the Colorado state university
26 extension, the Xerces Society for Invertebrate Conservation, and the
27 university of Colorado museum of natural history, in consultation with

1 state and federal agencies, researchers, scientists, and land managers
2 across the state;

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

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

16 (I) Priority 1: Protect imperiled native pollinating insects;

17 (II) Priority 2: Protect, restore, and connect pollinator habitats;

18 (III) Priority 3: Mitigate environmental changes that negatively
19 impact pollinators and their habitats;

20 (IV) Priority 4: Reduce the risks from pesticides to pollinating
21 insects; and

22 (V) Priority 5: Monitor and support native and managed pollinator
23 health.

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

1 voluntary programs to conserve and protect them.

2 (4) Therefore, the general assembly:

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

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

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

10 **23-31-322. Use of native plants in projects - definitions.**

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

13 (a) "COVERED AGENCY" MEANS:

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

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

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

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

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

26 (c) "NATIVE PLANT" HAS THE MEANING SET FORTH IN SECTION
27 35-5.5-103 (15).

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

(I) IS ON STATE-OWNED LAND;

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

(III) INCLUDES THE INSTALLATION OR PLANTING OF VEGETATION;

AND

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

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

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

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

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

(2) Use of native plants in projects.

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

26 (I) SUCH PLANT MATERIAL IS AVAILABLE:

27 (II) SUCH USE IS FINANCIALLY VIABLE; AND

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

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

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

23 (3) Coordinated purchasing and supply development.

24 (a) TO THE EXTENT PRACTICABLE, EACH COVERED AGENCY SHALL
25 COORDINATE WITH THE OTHER COVERED AGENCIES WITH REGARD TO
26 PURCHASING IN ORDER TO:

27 (I) INCREASE DEMAND FOR IN-STATE NATIVE PLANT MATERIAL

1 BUSINESS GROWTH OPPORTUNITIES;

2 (II) REDUCE COSTS THROUGH PURCHASING POWER;

3 (III) ENSURE SUPPLY OF APPROPRIATE NATIVE PLANT MATERIAL

4 AND REASONABLE PROPAGATION AND GROWING TIMELINES;

5 (IV) USE THEIR COLLECTIVE BUYING POWER TO CREATE AN

6 INCREASED SUPPLY OF NATIVE PLANTS AND NATIVE PLANT SEEDS; AND

7 (V) ENHANCE THE SUPPLY OF, AND ACCESS TO, STATE-SOURCED

8 NATIVE PLANT MATERIAL IN STATE AND PRIVATE NURSERIES AND IN STATE

9 COLLECTIONS OF SEEDS TO INCREASE ACCESS AND DIVERSITY.

10 (b) EACH COVERED AGENCY, IN FULFILLING ITS DUTIES UNDER THIS

11 SECTION, SHALL COORDINATE WITH THE SEED WAREHOUSE, THE STATE

12 NURSERY, REGIONAL NURSERIES, AND PRIVATE NURSERIES. THE STATE

13 NURSERY SHALL ANNUALLY SHARE ITS INVENTORY WITH COVERED

14 AGENCIES WHEN THE SPRING INVENTORY IS ESTABLISHED.

15 (c) A COVERED AGENCY MAY ENTER INTO A PUBLIC-PRIVATE

16 PARTNERSHIP FOR SEED COLLECTION ON STATE LANDS.

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

18 (a) EACH COVERED AGENCY, IN COORDINATION WITH PRIVATE

19 PARTNERS, SHALL ESTABLISH A TRAINING PROGRAM FOR LAND MANAGERS

20 AND MAINTENANCE CREWS THAT INCLUDES:

21 (I) IDENTIFICATION OF NATIVE PLANTS, IMPORTANT FLORAL AND

22 HOST PLANTS, AND POLLINATOR HOST SPECIES; AND

23 (II) BEST PRACTICES FOR POLLINATOR CONSERVATION AND NATIVE

24 PLANT ESTABLISHMENT.

25 (b) IN FULFILLING ITS DUTIES UNDER THIS SUBSECTION (4), A

26 COVERED AGENCY MAY SEEK, ACCEPT, AND EXPEND AVAILABLE FEDERAL

27 RESOURCES REGARDING THE MANAGEMENT OF NATIVE PLANTS.

(5) Land management practices.

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

12 (I) ESTABLISH POLLINATOR HABITAT ZONES ON ROADWAYS AND ON
13 PUBLIC LANDS;

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

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

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

24 (1) The office of the state architect shall:

25 (gg) SUPPORT AND ENCOURAGE THE DEVELOPMENT AND
26 RENOVATION OF SUSTAINABLE SITES TO MAXIMIZE POLLINATOR HEALTH
27 ON PROPERTIES WITHIN THE STATE CAPITOL COMPLEX, OTHER STATE

1 BUILDINGS, AND, WHERE APPLICABLE, ON LEASED PROPERTY, INCLUDING
2 BY:

3 (I) MAXIMIZING THE USE OF NATIVE PLANT MATERIAL AND
4 POLLINATOR-FRIENDLY PLANTS IN LANDSCAPE DESIGN PLANS;

5 (II) MODIFYING THE STATE'S DESIGN GUIDELINES TO INCORPORATE
6 NATIVE PLANTS AND POLLINATOR-FRIENDLY PLANTS;

7 (III) ENSURING THAT STATE-FUNDED PROJECTS USE
8 PESTICIDE-FREE MANAGEMENT PRACTICES TO THE EXTENT PRACTICABLE;
9 AND

10 (IV) TO THE EXTENT PRACTICABLE, ENSURING THAT STATE
11 CONTRACTS FOR THE PURCHASE OF PLANTS REQUIRE SUCH PLANTS TO NOT
12 CONTAIN SYNTHETIC PESTICIDES.

13 **SECTION 4.** In Colorado Revised Statutes, **add 23-31-708** as
14 follows:

15 **23-31-708. Colorado native plant availability study - legislative**
16 **declaration - consulting parties - study components - gifts, grants,**
17 **and donations - report - definition - repeal.**

18 (1) **Legislative declaration.**

19 (a) THE GENERAL ASSEMBLY FINDS THAT:

20 (I) THE COLLABORATIVE STUDY ON NATIVE POLLINATING INSECTS
21 COMMISSIONED BY THE DEPARTMENT OF NATURAL RESOURCES IN 2022 IN
22 RESPONSE TO SENATE BILL 22-199 IDENTIFIED HABITAT LOSS AS A
23 PRIMARY THREAT TO POLLINATOR HEALTH AND THE INSUFFICIENT
24 AVAILABILITY OF NECESSARY NATIVE PLANTS AND SEEDS AS A MAJOR
25 LIMITING FACTOR TO CREATING POLLINATOR HABITATS; AND

26 (II) THE STUDY ALSO RECOMMENDED THAT THE STATE TAKE
27 ACTION TO ENCOURAGE THE INCREASE OF NATIVE PLANT AND SEED

1 PRODUCTION AND USE STATEWIDE.

2 (b) THE GENERAL ASSEMBLY ALSO FINDS THAT:

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

6 (A) BARRIERS FACED BY GROWERS, DISTRIBUTORS, LAND
7 MANAGERS, AND CONSUMERS; AND

8 (B) OPPORTUNITIES FOR IMPROVING THE SUPPLY OF NATIVE PLANT
9 MATERIAL;

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

14 (III) THE SERVICE, IN PARTNERSHIP WITH STATE AGENCIES AND
15 STAKEHOLDERS, IS UNIQUELY POSITIONED TO CONDUCT A RIGOROUS,
16 IMPARTIAL, AND APPLIED STUDY TO INFORM POLICY AND MARKET
17 DEVELOPMENT.

18 (c) THEREFORE, THE GENERAL ASSEMBLY DECLARES THAT IT IS IN
19 THE BEST INTEREST OF THE STATE TO DIRECT THE SERVICE TO PERFORM A
20 STATEWIDE STUDY TO:

21 (I) ASSESS THE NATIVE PLANT SUPPLY CHAIN; AND

22 (II) RECOMMEND STRATEGIES TO RESPONSIBLY INCREASE BOTH
23 THE SUPPLY AND DEMAND OF NATIVE PLANTS.

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.

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

7 (A) SEED COLLECTION AND STORAGE;
8 (B) DISTRIBUTION AND TRANSPORTATION CHALLENGES; AND
9 (C) REGIONAL MISMATCHES BETWEEN PRODUCTION AND DEMAND.

10 (b) THE STUDY MUST INCLUDE AN ANALYSIS OF THE DEMAND FOR
11 NATIVE PLANTS AND SEEDS IN THE STATE, WHICH ANALYSIS INCLUDES:

12 (I) ASSESSMENT OF CURRENT AND PROJECTED DEMAND FOR
13 NATIVE PLANTS AND SEEDS, INCLUDING:

14 (A) STATE AND LOCAL GOVERNMENT PROJECTS;

15 (B) TRANSPORTATION AND INFRASTRUCTURE PROJECTS;

16 (C) HABITAT RESTORATION AND MITIGATION;

17 (D) RESIDENTIAL, COMMERCIAL, AND INSTITUTIONAL
18 LANDSCAPING; AND

19 (E) AGRICULTURAL AND CONSERVATION USES; AND

20 (II) ANALYSIS OF BARRIERS TO DEMAND, INCLUDING:

21 (A) LIMITED CONSUMER AWARENESS;

22 (B) MISCONCEPTIONS ABOUT COST, AESTHETICS, AND
23 MAINTENANCE;

24 (C) INCONSISTENT SPECIFICATIONS IN PUBLIC CONTRACTS; AND
25 (D) LACK OF REGIONAL PLANT LISTS AND GUIDANCE APPLICABLE

26 TO COLORADO.

1 OF, AND ACCESS TO, NATIVE PLANTS AND SEEDS IN THE STATE, WHICH
2 ANALYSIS INCLUDES:

3 (I) EVALUATION OF EXISTING DISTRIBUTION NETWORKS AND
4 ACCESS TO NATIVE PLANTS AND SEEDS ACROSS URBAN, SUBURBAN, AND
5 RURAL AREAS; AND

6 (II) IDENTIFICATION OF OPPORTUNITIES TO:

7 (A) IMPROVE STATEWIDE DISTRIBUTION EFFICIENCY;

8 (B) EXPAND REGIONAL AVAILABILITY; AND

9 (C) SUPPORT THE ROLE OF THE SEED WAREHOUSE, AS DEFINED IN
10 SECTION 23-31-322 (1)(g), INCLUDING HOW AND WHERE TO INCREASE
11 NATIVE SEED STORAGE MOST ECONOMICALLY BASED ON GEOGRAPHIC
12 NEED.

13 (d) THE STUDY MUST CONSIDER EDUCATION, TECHNICAL
14 ASSISTANCE, AND KNOWLEDGE GAPS, INCLUDING;

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

17 (II) EVALUATION OF EXISTING EDUCATION PROGRAMS AND
18 IDENTIFICATION OF UNMET NEEDS; AND

19 (III) RECOMMENDATIONS FOR TARGETED EDUCATION, TECHNICAL
20 ASSISTANCE, AND WORKFORCE DEVELOPMENT, INCLUDING THE ROLE OF
21 THE SERVICE.

22 (e) THE STUDY MUST INCLUDE BEST PRACTICES AND INCENTIVES
23 FOR ACQUIRING AND USING NATIVE PLANTS AND SEEDS IN THE STATE,
24 INCLUDING IDENTIFICATION OF:

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

27 (II) INCREMENTAL STRATEGIES TO GROW SUPPLY AND DEMAND

1 CONCURRENTLY; AND

2 (III) POTENTIAL INCENTIVES, INCLUDING CONTRACTING AND
3 INCENTIVE REFORMS, COST-SHARE PROGRAMS, PILOT PURCHASE
4 AGREEMENTS, CERTIFICATION OR LABELING PROGRAMS, AND
5 PUBLIC-PRIVATE PARTNERSHIPS.

6 **(4) Report.**

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

11 (I) THE GOVERNOR; AND

12 (II) THE AGRICULTURE, WATER, AND NATURAL RESOURCES
13 COMMITTEE OF THE HOUSE OF REPRESENTATIVES AND THE AGRICULTURE
14 AND NATURAL RESOURCES COMMITTEE OF THE SENATE, OR TO ANY
15 SUCCESSOR COMMITTEES.

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

17 (I) SHORT-TERM, MEDIUM-TERM, AND LONG-TERM STRATEGIES TO
18 INCREASE SUPPLY AND DEMAND OF NATIVE PLANTS AND SEEDS
19 INCREMENTALLY;

20 (II) POLICY INCENTIVES AND ADMINISTRATIVE CHANGES TO
21 IMPROVE MARKET CERTAINTY;

22 (III) OPPORTUNITIES FOR PUBLIC-PRIVATE PARTNERSHIPS; AND

23 (IV) METRICS TO MEASURE PROGRESS AND EFFECTIVENESS OVER
24 TIME.

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

26 (a) THE SERVICE MAY SEEK, ACCEPT, AND EXPEND GIFTS, GRANTS,
27 AND DONATIONS FROM PRIVATE OR PUBLIC SOURCES FOR THE PURPOSE OF

1 IMPLEMENTING THIS SECTION.

2 (b) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE
3 CONTRARY, THE SERVICE IS NOT REQUIRED TO PERFORM THE DUTIES
4 DESCRIBED IN THIS SECTION UNLESS AND UNTIL THE SERVICE ACQUIRES
5 SUFFICIENT GIFTS, GRANTS, AND DONATIONS TO PAY FOR THE
6 PERFORMANCE OF SUCH DUTIES.

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.