

State of Arizona  
House of Representatives  
Forty-second Legislature  
Second Regular Session  
1996

**FILED**

**Jane Dee Hull  
Secretary of State**

CHAPTER 340

**HOUSE BILL 2406**

AN ACT

AMENDING SECTION 3-367.02, ARIZONA REVISED STATUTES; RELATING TO PESTICIDE CONTROL.

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 3-367.02, Arizona Revised Statutes, is amended to  
3 read:

4 3-367.02. Notification by beekeepers of bees located in a  
5 commercial agricultural area

6 A. Before locating ~~a colony of bees on private property~~ AN APIARY  
7 SITE, the owner of the bees shall obtain the landowner's or lessee's  
8 permission and notify in writing persons engaged in commercial agriculture  
9 on whose land the bees may forage. The notice shall include the beekeeper's  
10 address and telephone number, THE LOCATION OF THE HIVES WITHIN A QUARTER  
11 SECTION and the exact dates that the bees will be in the area.

12 B. After receiving ~~the~~ THE notice REQUIRED BY SUBSECTION A, the  
13 person who engages in commercial agriculture shall inform the beekeeper,  
14 before application, when a bee sensitive pesticide will be applied to the  
15 area in which the bees are foraging.

16 C. A failure by the beekeeper or the owner of the bees to notify the  
17 person or persons who engage in commercial agriculture as provided by  
18 subsection A constitutes prima facie evidence that no loss occurred due to  
19 a pesticide application AND NO PESTICIDE VIOLATION RELATED TO BEES HAS  
20 OCCURRED.

1           Sec. 2. Study committee on the notification of pesticide  
2                           applications; reimbursement of expenses

3           A. A study committee on the notification of pesticide applications  
4 shall be established by the speaker of the house of representatives and the  
5 president of the senate to recommend a procedure for the notification of  
6 beekeepers by persons engaged in commercial agriculture and actions required  
7 to be taken by beekeepers to protect bees from pesticide applications.

8           B. The committee shall consist of representatives of the commercial  
9 agricultural industry, commercial beekeepers and at least two legislators,  
10 one from the house of representatives and one from the senate.

11           C. The committee shall report its findings to the speaker of the house  
12 of representatives and the president of the senate by December 31, 1996.

13           Sec. 3. Delayed repeal

14           Section 2 of this act is repealed from and after December 31, 1996.

APPROVED BY THE GOVERNOR MAY 1, 1996

FILED IN THE OFFICE OF THE SECRETARY OF STATE MAY 1, 1996