



House of Representatives

General Assembly

File No. 84

February Session, 2024

Substitute House Bill No. 5225

House of Representatives, March 21, 2024

The Committee on Environment reported through REP. GRESKO of the 121st Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

***AN ACT CONCERNING THE RECOMMENDATIONS OF THE
INVASIVE PLANTS COUNCIL.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 22a-381d of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2024*):

3 (a) Except as provided in subsection (d) of this section and
4 notwithstanding the provisions of any ordinance adopted by a
5 municipality, no person shall import, move, sell, purchase, transplant,
6 cultivate or distribute any of the following invasive plants: (1) Curly
7 leaved Pondweed (*Potamogeton crispus*); (2) fanwort (*Cabomba*
8 *caroliniana*); (3) eurasian water milfoil (*Myriophyllum spicatum*); (4)
9 variable water milfoil (*Myriophyllum heterophyllum*); (5) water
10 chestnut (*Trapa natans*); (6) egeria (*Egeria densa*); (7) hydrilla (*Hydrilla*
11 *verticillata*); (8) common barberry (*Berberis vulgaris*); (9) autumn olive
12 (*Elaeagnus umbellata*); (10) Bell's honeysuckle (*Lonicera xbella*); (11)
13 amur honeysuckle (*Lonicera maackii*); (12) Morrow's honeysuckle
14 (*Lonicera morrowii*); (13) common buckthorn (*Rhamnus cathartica*);

15 (14) multiflora rose (*Rosa multiflora*); (15) Oriental bitterweet
16 (*Celastrus orbiculatus*); (16) garlic mustard (*Alliaria petiolata*); (17)
17 narrowleaf bittercress (*Cardamine impatiens*); (18) spotted knapweed
18 (*Centaurea biebersteinii*); (19) black swallow-wort (*Cynanchum*
19 *louiseae*); (20) pale swallow-wort (*Cynanchum rossicum*); (21) leafy
20 spurge (*Euphorbia esula*); (22) Dame's rocket (*Hesperis matronalis*); (23)
21 perennial pepperweed (*Lepidium latifolium*); (24) Japanese knotweed
22 (*Polygonum cuspidatum*); (25) mile-a-minute vine (*Polygonum*
23 *perfoliatum*); (26) fig buttercup (*Ranunculus ficaria*); (27) coltsfoot
24 (*Tussilago farfara*); (28) Japanese stilt grass (*Microstegium vimineum*);
25 (29) common reed (*Phragmites australis*); (30) sycamore maple (*Acer*
26 *pseudoplatanus*); (31) princess tree (*Paulownia tomentosa*); (32) white
27 poplar (*Populus alba*); (33) false indigo (*Amorpha fruticosa*); (34)
28 Russian olive (*Eleagnus angustifolia*); (35) wineberry (*Rubus*
29 *phoenicolasius*); (36) kudzu (*Pueraria montana*); (37) Canada thistle
30 (*Cirsium arvense*); (38) jimsonweed (*Datura stramonium*); (39) crested
31 late-summer mint (*Elsholtzia ciliata*); (40) Cypress spurge (*Euphorbia*
32 *cyparissias*); (41) slender snake cotton (*Froelichia gracilis*); (42) ground
33 ivy (*Glechoma hederacea*); (43) giant hogweed (*Heracleum*
34 *mantegazzianum*); (44) Japanese hops (*Humulus japonicus*); (45)
35 ornamental jewelweed (*Impatiens glanulifera*); (46) common kochia
36 (*Kochia scoparia*); (47) ragged robin (*Lychnis flos-cuculi*); (48) Scotch
37 thistle (*Onopordum acanthium*); (49) bristle knotweed (*Polygonum*
38 *caespitosum*); (50) giant knotweed (*Polygonum sachalinense*); (51)
39 sheep sorrel (*Rumex acetosella*); (52) ragwort (*Senecio jacobaea*); (53)
40 cup plant (*Silphium perfoliatum*); (54) bitterweet nightshade (*Solanum*
41 *dulcamara*); (55) garden heliotrope (*Valeriana officinalis*); (56) hairy
42 jointgrass (*Arthraxon hispidus*); (57) drooping brome-grass (*Bromus*
43 *tectorum*); (58) Japanese sedge (*Carex kobomugi*); (59) reed managrass
44 (*Glyceria maxima*); (60) Canada bluegrass (*Poa compressa*); and (61) tree
45 of heaven (*Ailanthus altissima*).

46 (b) (1) Except as provided in subsection (d) of this section and
47 notwithstanding the provisions of any ordinance adopted by a
48 municipality, on or after October 1, 2005, no person shall import, move,
49 sell, purchase, transplant, cultivate or distribute any of the following

50 invasive plants: [(1)] (A) Purple loosestrife (*Lythrum salicaria*); [(2)] (B)
51 forget-me-not (*Myosotis scorpioides*); [(3)] (C) Japanese honeysuckle
52 (*Lonicera japonica*); [(4)] (D) goutweed (*Aegopodium podagraia*); [(5)]
53 (E) flowering rush (*Butomus umbellatus*); [(6)] (F) pond water-starwort
54 (*Callitriche stagnalis*); [(7)] (G) European waterclover (*Marsilea*
55 *quadrifolia*); [(8)] (H) parrotfeather (*Myriophyllum aquaticum*); [(9)] (I)
56 brittle water-nymph (*Najas minor*); [(10)] (J) American water lotus
57 (*Nelumbo lutea*); [(11)] (K) yellow floating heart (*Nymphoides peltata*);
58 [(12)] (L) onerow yellowcress (*Rorippa microphylla*); [(13)] (M)
59 watercress (*Rorippa nasturtium-aquaticum*), except for watercress sold
60 for human consumption without its reproductive structure; [(14)] (N)
61 giant salvinia (*Salvinia molesta*); [(15)] (O) yellow iris (*Iris pseudacorus*);
62 [(16)] (P) border privet (*Ligustrum obtusifolium*); [(17)] (Q) tatarian
63 honeysuckle (*Lonicera tatarica*); [(18)] (R) dwarf honeysuckle (*Lonicera*
64 *xylosteum*); and [(19)] (S) garden loostrife (*Lysimachia vulgaris*).

65 (2) Except as provided in subsection (d) of this section and
66 notwithstanding the provisions of any ordinance adopted by a
67 municipality, on or after October 1, 2024, no person shall import, move,
68 sell, purchase, transplant, cultivate or distribute any of the following
69 invasive plants: (A) Porcelainberry (*Ampelopsis brevipedunculata*), (B)
70 mugwort (*Artemisia vulgaris*), (C) quackgrass (*Elymus repens*), (D)
71 Japanese angelica tree (*Aralia elata*), (E) Japanese wisteria (*Wisteria*
72 *floribunda*), and (F) Chinese wisteria (*Wisteria sinensis*).

73 (3) Except as provided in subsection (d) of this section and
74 notwithstanding the provisions of any ordinance adopted by a
75 municipality, on or after October 1, 2027, no person shall import, move,
76 sell, purchase, transplant, cultivate or distribute callery pear (*Pyrus*
77 *calleryana*).

78 (c) Except as provided in subsection (d) of this section, and
79 notwithstanding the provisions of any ordinance adopted by a
80 municipality, no person shall move, import, sell, purchase, transplant,
81 cultivate or distribute any reproductive portion of any invasive plant
82 listed in subsection (a) or (b) of this section. For the purposes of this

83 section, "reproductive portion" includes, but is not limited to, seeds,
84 flowers, roots and tubers.

85 (d) The provisions of subsections (a) to (c), inclusive, of this section
86 shall not apply to the moving for eradication, research or educational
87 purposes of any invasive plant listed in subsection (a) or (b) of this
88 section or of any reproductive portion of such an invasive plant or to the
89 cultivating for research purposes of any such plant or reproductive
90 portion.

91 (e) From July 1, 2009, until October 1, 2014, no municipality shall
92 adopt any ordinance regarding the retail sale or purchase of any
93 invasive plant.

94 (f) Any person who violates the provisions of this section shall be
95 fined not more than one hundred dollars per plant.

96 Sec. 2. (*Effective from passage*) Not later than March 1, 2025, the
97 Invasive Plants Council, established pursuant to section 22a-381 of the
98 general statutes, shall submit a report, in accordance with the provisions
99 of section 11-4a of the general statutes, to the joint standing committee
100 of the General Assembly having cognizance of matters relating to the
101 environment on the cultivars of Japanese barberry and Burning bush
102 that are sterile and may reasonably be sold in the state.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2024</i>	22a-381d
Sec. 2	<i>from passage</i>	New section

ENV Joint Favorable Subst.

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact: None

Municipal Impact: None

Explanation

The bill, which generally prohibits several types of invasive plants from being sold, moved, or cultivated, results in no fiscal impact to the state or municipalities. Although violators of the bill's provisions will be subject to fines, no violations and therefore no revenue gain is expected. The bill additionally requires the Invasive Plants Council to submit a report, which participating state agencies have sufficient expertise to complete.

The Out Years

State Impact: None

Municipal Impact: None

OLR Bill Analysis

sHB 5225

AN ACT CONCERNING THE RECOMMENDATIONS OF THE INVASIVE PLANTS COUNCIL.

SUMMARY

This bill adds seven plants to the list of invasive or potentially invasive plants that are generally banned in the state. By law, a violator of the ban is subject to a fine of up to \$100 per plant.

Specifically, beginning October 1, 2024, and regardless of any municipal ordinance, the bill prohibits anyone from importing, moving (except for eradication, research, or educational purposes), selling, purchasing, transplanting, cultivating (except for research purposes), or distributing the following plants, or their reproductive portions (e.g., seeds, flowers, roots, tubers): Porcelainberry, mugwort, quackgrass, Japanese angelica tree, Japanese wisteria, and Chinese wisteria. Beginning October 1, 2027, it similarly prohibits anyone from taking these actions with respect to callery pear.

The bill also requires the Invasive Plants Council to submit a report to the Environment Committee by March 1, 2025, on the cultivars of Japanese barberry and Burning bush that are sterile and may reasonably be sold in the state. (By law, the council must annually publish and periodically update the list of invasive and potentially invasive plants and recommend ways to control them, among other things.)

EFFECTIVE DATE: October 1, 2024, except for the report provision, which takes effect upon passage.

COMMITTEE ACTION

Environment Committee

Joint Favorable Substitute

Yea 34 Nay 0 (03/08/2024)