

# WEST VIRGINIA LEGISLATURE

## 2026 REGULAR SESSION

Introduced

### House Bill 5439

FISCAL  
NOTE

By Delegate Burkhammer

[Introduced February 11, 2026; referred to the  
Committee on Government Organization]

1 A BILL to amend the Code of West Virginia, 1931, as amended to add a new article, designated  
 2 §20-3C-1, relating to the creation of the Pollinator Protection Act; stating legislative  
 3 findings; and providing program criteria.

*Be it enacted by the Legislature of West Virginia:*

**ARTICLE 3C. POLLINATOR PROTECTION ACT.**

**§20-3C-1. Pollinator protection act; creation of pollinator program.**

1 (a) Pollinator Protection Program. The Department of Agriculture (DOA) shall develop a  
 2 pollinator protection program. The purpose of the program is to promote the health of and mitigate  
 3 the risks to all pollinator species in West Virginia and ensure a robust agricultural economy and  
 4 apiary industry for honeybees and other managed pollinators.

5 (1) In developing the program, the DOA shall seek the assistance of the Division of  
 6 Forestry and Division of Natural Resources and shall establish a stakeholder group composed of  
 7 representatives of affected groups, including beekeepers, agricultural producers, agribusiness  
 8 and farmer organizations, and conservation interests.

9 (2) The program shall include a plan for the protection of pollinators that:

10 (A) Mitigates damage from invasive species of plants;

11 (B) Encourages the planting of low maintenance pollinator-friendly habitats on private  
 12 property;

13 (C) Creates a strategy for the planting of low maintenance pollinator-friendly habitats in  
 14 state parks and state forests;

15 (D) Helps identify additional opportunities for education and outreach on pollinators; and

16 (E) Utilizes state or federal grant programs and non-profit resources to protect pollinators.

NOTE: The purpose of this bill is to create the Pollinator Protection Act; and provide program criteria.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.