

Environment Committee JOINT FAVORABLE REPORT

Bill No: HB-5521 / [Bill Status](#) / [Public Hearing Testimony](#)

Title: AN ACT CONCERNING STERILE CULTIVARS.

Vote Date: 3/18/2026

Vote Action: Joint Favorable Substitute

PH Date: 3/13/2026

File No.:

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SPONSORS OF BILL:

Environment Committee

Co-sponsor:

Rep. Joseph P. Gresko, 121st Dist.

REASONS FOR BILL:

To authorize the sale and distribution of sterile cultivars of certain plant species and provide for the review of certain energy-related facilities regardless of their use for sterile cultivar propagation.

SUBSTITUTE LANGUAGE (IF APPLICABLE):

Substitute language allows the sale of otherwise prohibited plant species if they are certified as sterile and unable to spread under Connecticut conditions, as determined by state officials. Approval can be revoked if the plant is later found to pose an ecological risk.

RESPONSE FROM ADMINISTRATION/AGENCY:

Katie S. Dykes, Commissioner, CT Department of Energy & Environmental Protection

DEEP opposes Section 1 of HB 5521. They believe allowing invasive plant cultivars based on an assumption of sterility over time could place native species and ecosystem health at unnecessary risk. Allowing sterile cultivars while the state is working to phase out the invasive plant of origin could create confusion for the public, retailers, and enforcement challenges. They also have concerns because implementation of this review process would require additional resources not included in Governor's budget. Section 2 has problems with the changes to the Siting Council's review process which lowers the threshold for review of certain solar photovoltaic facilities on prime farmland or forestland from 2 megawatts to one while directing the Siting Council to review all fuel cell projects, regardless of the capacity of the fuel cell, through a declaratory ruling proceeding. These modifications place significant procedural and financial burdens onto a singular technology at a rate disproportionate to its

impact. This is challenging given the potential impact on electric ratepayers and substantial changes to the financial structure federal policy disruption.

Paul Aresta, Executive Director, CT Council on Environmental Quality

The Council supports Section 2 that would revise CGS Section 16-50K to reduce the capacity of solar photovoltaic projects that require a determination from DoAG and DEEP from 2 megawatts to 1. The proposed revision would better protect core forests and prime farmland and encourage responsible agrivoltaics practices, under the review of DoAG. The Council also suggests the energy generation projects with a capacity greater than 65 MW should continue to comply with the requirements of an application for a Certificate.

NATURE AND SOURCES OF SUPPORT:

Victoria Wallace, Sr. Extension Educator, UConn Sustainable Turf & Landscape

Ms. Wallace supports HB 5521. Sterile cultivars of ornamental plants offer a promising strategy to balance horticultural interests with environmental stewardship. Sterile cultivars are developed to eliminate their ability to reproduce from seed. Many years of research go into developing ornamentally valuable, sterile cultivars. These cultivars were developed by university researchers and evaluated in peer reviewed journal articles. Regular assessments are necessary to ensure that sterile cultivars remain non-invasive over time and future legislation should include this requirement.

Tracy McDougall, Executive Director, The Connecticut Farm Bureau Association

The Connecticut Farm Bureau Association supports HB 5521. Sterile cultivars unlike their fertile counterparts cannot reproduce by seed so they pose no threat of spreading into our natural ecosystems. They require human intervention to reproduce. They must be reproduced exclusively via vegetative propagation (cuttings, division, or tissue culture). These plants offer the aesthetic and functional benefits that homeowners and retail sellers seek without the associated risks. They also support removing the \$20,000 per acre cap for farmland preservation investments. As land values rise, capping the amount paid per acre for farmland preservation makes the program unappealing to farmers who will face a financial loss if they choose preservation over private sale. Farmers near metropolitan areas face the highest development pressure. If a state-wide cap exists, these farmers are effectively excluded from preservation programs because of their value.

Elisabeth Moore, Executive Director, Connecticut Farmland Trust

The Connecticut Farmland Trust supports HB 5521 Section 2 and Section 3. Section 2 considers an amendment of subsection (a) of section 16-50k of the general statutes. The amendment would allow DoAG to review proposed solar projects on prime farmland that range from 1MW to above 65MW a change from 2-65MW. Protecting prime farmland from conversion into energy production is very important for the continued productivity of Connecticut agriculture. Agrivoltaics has the potential to meet the renewable energy needs of the state while keeping prime farmland in production. Section 3 which proposes elimination of the limit of \$20,000 per acre for DoAG to purchase development rights on farms. Increasing the limit will be especially helpful in protecting small farms in suburban areas facing high development pressure.

Keith Bishop, President & Chairman of the Board, Bishop's Orchards

Bishop's Orchards support HB 5521. They believe by allowing the sale of noninvasive, sterile versions of popular ornamental plants, we can protect our natural ecosystems without

unnecessarily harming local nurseries and landscapers. HB 5521 aligns with years of research conducted at UConn. These plants have undergone rigorous multi-year testing to ensure they cannot produce viable seeds or escape into the wild. It also sets up a strong regulatory framework by requiring DEEP, in consultation with Connecticut Agricultural Experiment Station, to verify a cultivars sterility before it is cleared for sale.

The following Organizations support HB 5521:

Rebecca Dorsey, Sandy Breslin Conservation Fellow CT Land Conservation Council

Richard Landau, Board Member, Ash Creek Conservation Association

Dustyn Nelson, Past President, CT Nursery & Landscape Association

Tracy Payne, The Garden Club of Hartford

Kip Kolesinskas, Chair Working Lands Alliance

NATURE AND SOURCES OF OPPOSITION:

Maggie Favretti, Co-Leadership Board Chair. Alliance for the Mystic River Watershel

The Alliance for the Mystic River Watershed opposes HB 5521 They believe that sterile cultivars will revert to production viable seeds and will take of ecological space that native species could inhabit, providing the right food and other resources that contribute to the health of the ecosystem.

Reported by: Judy Ganswindt

Date: March 31, 2026