

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend the Code of Virginia by adding a section numbered 3.1-106.4:2, relating to applying*
3 *fertilizer to nonagricultural property; civil penalty.*

4 [S 135]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That the Code of Virginia is amended by adding a section numbered 3.1-106.4:2 as follows:**8 *§ 3.1-106.4:2. Board authorized to adopt regulations for the application of regulated products to*
9 *nonagricultural property; civil penalty.*10 *A. The Board shall adopt regulations to certify the competence of contractor-applicators and*
11 *licensees who apply any regulated product to nonagricultural lands. The regulations shall establish (i)*
12 *training requirements and (ii) proper nutrient management practices in accordance with § 10.1-104.2,*
13 *and including soil analysis techniques, equipment calibration, and the timing of the application.*14 *B. The Board may impose a civil penalty of up to \$250 on any contractor-applicator or licensee who*
15 *fails to comply with the regulations. The amount of the civil penalty shall be paid into the special fund*
16 *established in § 3.1-106.22.*17 *C. The Board shall form a technical advisory committee of stakeholders. The Board shall consult*
18 *with the technical advisory committee of stakeholders and the Department of Conservation and*
19 *Recreation in the development of the regulations.*20 *D. Contractor-applicators and licensees who apply any regulated product to nonagricultural lands*
21 *shall comply with the regulations within 12 months of the effective date of the regulations.*22 **2. That the Commissioner of Agriculture and Consumer Services shall report the status of the**
23 **regulations and the implementation of the program to the Chairmen of the Senate Committee on**
24 **Agriculture, Conservation and Natural Resources and the House Committee on Agriculture,**
25 **Chesapeake and Natural Resources by July 1, 2009, and each succeeding year until the regulations**
26 **have been adopted and the program has been implemented.**

ENROLLED

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