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HOUSE BILL NO. 1497

Offered January 8, 2020

A *BILL to amend and reenact § 3.2-3608 of the Code of Virginia, relating to fertilizer contractor-applicators; requirements.*

Patron—Mugler

Referred to Committee on Agriculture, Chesapeake and Natural Resources

Be it enacted by the General Assembly of Virginia:**1. That § 3.2-3608 of the Code of Virginia is amended and reenacted as follows:****§ 3.2-3608. Contractor-applicator permit.**

A. It is unlawful for any person, other than a licensee or an agent of a licensee, to apply any regulated product for profit without first obtaining a permit. In order to obtain a permit, the person shall complete an application form furnished by the Commissioner and pay the \$50 annual permit fee required to be a contractor-applicator. An employee or agent of a contractor-applicator who holds a valid permit is not required to obtain a permit.

B. Any person who engages in business as a contractor-applicator for a period of at least 30 days, and who has failed to obtain a permit within 15 working days of notification of the requirement to obtain a permit shall pay a \$35 late fee to the Commissioner, in addition to the permit fee. Any permit holder who fails to comply with permit renewal requirements shall pay a \$35 late fee to the Commissioner in addition to the permit fee.

C. An annual permit shall be required for each location or outlet that applies any regulated product.

D. The contractor-applicator shall guarantee to the consumer that the contractor-applicator and the contractor-applicator's employees or agents applying any regulated product shall comply with all provisions of this chapter and with regulations adopted by the Board, which shall include an assurance of the delivery of the grade of fertilizer as described on the consumer's invoice.

E. *Beginning July 1, 2026, it shall be unlawful for a contractor-applicator to apply any regulated product to a farm operation larger than 50 acres unless such application is conducted pursuant to a nutrient management plan developed in accordance with regulations adopted under § 10.1-104.2.*

INTRODUCED

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