

Department of Planning and Budget

2011 Fiscal Impact Statement

1. Bill Number: SB990

House of Origin ☐ Introduced ☐ Substitute ☒ Engrossed
Second House ☐ In Committee ☐ Substitute ☐ Enrolled

2. Patron: Stuart

3. Committee: Agriculture, Chesapeake and Natural Resources

4. Title: Virginia Department of Agriculture and Consumer Services; regulation of fertilizer.

5. Summary: Revises the laws governing the manufacture and application of fertilizer to: (i) incorporate by reference the guidelines adopted by the Association of American Plant Food Control Officials, (ii) adopt generic precautionary labeling guidelines to prevent fertilizer runoff into the waterways, (iii) shift the permit year to begin on April 1 instead of July 1, (iv) require distributors of commercial fertilizer to submit an annual statistical report to the Commissioner regarding the amounts and localities of distributed product, (v) allow the Commissioner to issue written notices or warnings in lieu of instituting formal proceedings, (vi) authorize the Board to impose a civil penalty of up to \$250 on anyone who violates a written stop sale, and (vii) allow the imposition of late fees for failing to renew a registration, license, or permit and for failing to obtain a registration, license, or permit after receiving notice of this requirement. In addition, the bill changes many definitions related to fertilizer manufacturing.

6. Budget Amendment Necessary: No

7. Fiscal Impact Estimates: There is no material fiscal impact. Any civil penalties collected are deposited into the Literary Fund, although an exact amount is indeterminate.

8. Fiscal Implications: None

9. Specific Agency or Political Subdivisions Affected: The Virginia Department of Agriculture and Consumer Services

10. Technical Amendment Necessary: No

11. Other Comments: None

Date: 2/3/2011