

Department of Planning and Budget

2020 Fiscal Impact Statement

1. Bill Number: SB849

House of Origin	<input type="checkbox"/>	Introduced	<input type="checkbox"/>	Substitute	<input type="checkbox"/>	Engrossed
Second House	<input type="checkbox"/>	In Committee	<input type="checkbox"/>	Substitute	<input checked="" type="checkbox"/>	Enrolled

2. Patron: Mason

3. Committee: Passed Both Houses.

4. Title: Lawn fertilizer contractor-applicators.

5. Summary: Authorizes the Commissioner of Agriculture and Consumer Services to enter into an agreement with a locality to provide oversight and data collection assistance related to the requirements of certified lawn fertilizer contractor-applicators. Current law prohibits localities from regulating the registration, packaging, labeling, sale, use, application, storage, or distribution of fertilizers except by ordinance pursuant to certain requirements. The bill also reduces from 100 to 50 the total number of acres of nonagricultural land to which a contractor-applicator may apply lawn fertilizer and lawn maintenance fertilizer annually without submitting an annual report to the Commissioner. The bill increases from \$250 to \$1,000 the civil penalty imposed on a contractor-applicator for a violation of applicable regulations.

6. Budget Amendment Necessary: No. See item 8.

7. Fiscal Impact Estimates: Final.

8. Fiscal Implications: This bill authorizes the Department of Agriculture and Consumer Services (VDACS) to enter into an agreement with a locality to provide oversight and data collection assistance related to the requirements of certified lawn fertilizer contractor-applicators. HB/SB30, as introduced by the Governor, provides funding for two FTEs and associated operating costs totaling \$240,021 in FY 2021 and \$185,021 in subsequent years to support the Agricultural Stewardship Act and the auditing of contractor-applicator records to ensure fertilizer applications to non-agricultural lands are applied in accordance with the provisions of a nutrient management plan. With this appropriation in the enacted budget, there will be no additional fiscal impact to VDACS.

The bill also increases the civil penalty imposed on violators of the provisions from \$250 to \$1,000. Statute requires that all penalties be deposited in the Feed, Lime, Fertilizer, and Animal Remedies Fund.

9. Specific Agency or Political Subdivisions Affected: Department of Agriculture and Consumer Services; localities.

10. Technical Amendment Necessary: No.

11. Other Comments: None.