HB 326-FN - AS INTRODUCED

2023 SESSION

23-0245
08/10

HOUSE BILL ***326-FN***

AN ACT prohibiting the use of second generation anticoagulant rodenticides.

SPONSORS: Rep. Cannon, Straf. 12; Rep. Darby, Hills. 11

COMMITTEE: Environment and Agriculture

ANALYSIS

This bill prohibits the use of second generation anticoagulant rodenticides, except in certain cases.

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Explanation: Matter added to current law appears in ***bold italics.***
Matter removed from current law appears [~~in brackets and struckthrough.~~]
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

23-0245
08/10

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Three

AN ACT prohibiting the use of second generation anticoagulant rodenticides.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 New Paragraph; Definitions; Second Generation Anticoagulant Rodenticide. Amend RSA 430:29 by inserting after paragraph XXXII-a the following new paragraph:

XXXII-aa. "Second generation anticoagulant rodenticide" means any pesticide product containing any of the following active ingredients:

(a) Brodifacoum.

(b) Bromadiolone.

(c) Difenacoum.

(d) Difethialone.

2 New Subparagraph; Pesticides Controls; Prohibited Acts. Amend RSA 430:41, I by inserting after subparagraph (e) the following new subparagraph:

(f)(1) Except as provided in subparagraph (2), any second generation anticoagulant rodenticide.

(2) Subparagraph (1) shall not apply to any of the following:

(A) The use of any second generation anticoagulant rodenticide by a state or municipal employee for public health activities, the protection of a drinking water supply, to control vectors for mosquito borne illnesses, the eradication on nonnative invasive species of rodents, for control of an actual rodent infestation that has been deemed a public health issue where it has been documented that all other rodent control alternatives, including nonchemical alternatives, are inadequate to control the infestation.

(B) The use of any second generation anticoagulant rodenticide at a medical waste generator or a facility registered annually and subject to inspection under 21 U.S.C. Section 360 et seq and compliant with the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. Section 135 et seq).

(C) The use of any second generation anticoagulant rodenticide for agricultural activities conducted in the following locations:

(i) A warehouse used to store foods for human or animal consumption.

(ii) An agricultural food production site, including but not limited to a slaughterhouse or cannery.

(iii) A distillery, meadery, brewery, or winery.

3 Effective Date. This act shall take effect January 1, 2024.

LBA
23-0245
1/9/23

HB 326-FN- FISCAL NOTE
AS INTRODUCED

AN ACT prohibiting the use of second generation anticoagulant rodenticides.

FISCAL IMPACT: [X] State [X] County [X] Local [ ] None

	Estimated Increase / (Decrease)			
STATE:	**FY 2023**	**FY 2024**	**FY 2025**	**FY 2026**
Appropriation	$0	$0	$0	$0
Revenue	$0	$0	$0	$0
Expenditures	$0	Indeterminable Increase	Indeterminable Increase	Indeterminable Increase
Funding Source:	[X] General Government Funds	[ ] Education	[ ] Highway	[X] Other - Various

COUNTY:

Revenue	$0	$0	$0	$0
Expenditures	$0	Indeterminable	Indeterminable	Indeterminable

LOCAL:

Revenue	$0	$0	$0	$0
Expenditures	$0	Indeterminable Increase	Indeterminable Increase	Indeterminable Increase

METHODOLOGY:

This bill prohibits the use of second generation anticoagulant rodenticides, except in certain cases.

The Department of Administrative Services indicates this bill would require the State to adjust to other rodent control methods. It is unknown at this time how successful the other methods would be or what the cost would be to switch to those methods. The next logical solution would be to switch from rodenticides to traps. This would require more frequent service from the pest control contractor. Additional visits could cost between $1,500 and $2,000 per location per year. It is estimated that between 100-150 state locations use pest control services. There are also options to install more sophisticated monitoring equipment. This equipment also comes at a cost which is indeterminable at this time. Based on information provided above the additional cost to the State ranges between $150,000 to $300,000 annually. The Department notes this is an estimated range for costs to state facilities only.

The Department of Agriculture indicates the fiscal impact of this bill cannot be determined without information relative to municipal, county and state use or contracted use of rodenticides. A ban on the use of certain rodenticides could result in an increase in municipal, county and state expenditures for rodent control.

The New Hampshire Municipal Association does not have data on how often or wide-spread the use of second generation anticoagulant rodenticide is in local municipalities. It is possible there will be additional costs imposed on municipalities if other rodent infestation mitigation methods are used and do not alleviate the public health issue and the use of this pesticide becomes necessary. It is not possible to determine how much of an additional cost may incurred as a result of this legislation.

The New Hampshire Association of Counties indicates this bill prohibits the use of certain anticoagulant rodenticides, with exceptions. Depending on their use, the counties or their pest control vendors may experience a change in price due to a potential change in products or means for rodent control. The Association is not able to forecast the fiscal impact of changes to rodent control products or the need for rodent control.

AGENCIES CONTACTED:

Departments of Administrative Services and Agriculture, Markets and Food, New Hampshire Association of Counties and New Hampshire Municipal Association