HB 1681-FN - AS INTRODUCED

2024 SESSION

24-2709
10/05

HOUSE BILL ***1681-FN***

AN ACT relative to sale of products labeled as biodegradable or compostable.

SPONSORS: Rep. Parshall, Ches. 8; Rep. Germana, Ches. 1; Rep. Caplan, Merr. 8

COMMITTEE: Environment and Agriculture

ANALYSIS

This bill prohibits the sale or offer for sale of certain products labeled biodegradable or compostable unless the product meets third party certification standards.

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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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Four

AN ACT relative to sale of products labeled as biodegradable or compostable.

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

1 New Paragraph; Solid Waste Management; Sales of Certain Products. Amend RSA 149-M:27 by inserting after paragraph V the following new paragraph:

VI. No person may sell or offer for sale in this state any product labeled as biodegradable or compostable, unless the product meets third party certification by an organization such as BPI or others that adhere to the ASTM 6400 standard as set forth by the American Society for Testing and Materials.

2 Effective Date. This act shall take effect 60 days after its passage.

LBA
24-2709
Revised 12/22/23

HB 1681-FN- FISCAL NOTE
AS INTRODUCED

AN ACT relative to sale of products labeled as biodegradable or compostable.

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

Estimated State Impact - Increase / (Decrease)				
	FY 2024	**FY 2025**	**FY 2026**	**FY 2027**
Revenue	$0	$0	$0	$0
Revenue Fund(s)	None			
Expenditures	$0	In Excess of $60,000	In Excess of $104,000	In Excess of $108,000
Funding Source(s)	General Fund			
Appropriations	$0	$0	$0	$0
Funding Source(s)	None			

- Does this bill provide sufficient funding to cover estimated expenditures? [X] No
- Does this bill authorize new positions to implement this bill? [X] No

METHODOLOGY:

This bill prohibits the sale or offer for sale of certain products labeled biodegradable or compostable unless the product meets third party certification standards.

The Department of Environmental Services states, because this bill amends RSA 149-M, the bill would place new responsibilities on the Department to regulate the consumer marketplace for biodegradable items. This is outside the scope of the Department's current program responsibilities and the Department assumes implementing these new responsibilities would necessitate the creation of a Waste Management Specialist III position (LG 24). The estimated cost of this position including salary, benefits, office space, furniture and equipment and operating expenses is $60,000 in FY 2025 (1/2 year), $104,000 in FY 2026 and $108,000 in FY 2027. The bill does not specify a source of funding and the Department assumes the position would be funded with general funds. The Department assumes the position would be created and filled by January 1, 2025 and would be tasked with compliance including inspections of the retail marketplace, complaint response, and enforcement.

In addition, the Department assumes it would incur additional indeterminable costs to develop a database to inventory relevant products and track compliance. The Department does not expect the bill would impact State, county or local revenue or local or county expenditures.

This bill does not contain an appropriation and does not authorize establishment of a new position.

AGENCIES CONTACTED:

Department of Environmental Services