CHAPTER 319
HB 494-FN - FINAL VERSION

4Jan2024... 2342h
05/02/2024 1615s
13Jun2024... 2335EBA

2024 SESSION

23-0380
08/05

HOUSE BILL ***494-FN***

AN ACT renaming the agricultural product and scale testing fund the agricultural products regulatory fund.

SPONSORS: Rep. Bixby, Straf. 13; Rep. Comtois, Belk. 7; Sen. Avard, Dist 12

COMMITTEE: Environment and Agriculture

AMENDED ANALYSIS

This bill renames the agriculture product and scale testing fund the agricultural products regulatory fund and redirects certain funds to it.

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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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 renaming the agricultural product and scale testing fund the agricultural products regulatory fund.

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

319:1 Agricultural Products Regulatory Fund. Amend RSA 6:12, I(b)(44) to read as follows:

(44) One-half the registration fees collected under RSA 435:20 and all fees collected under ***RSA 431:4, RSA 431:6, RSA 431:27, and*** RSA 433-A:6, which shall be credited to the agricultural [~~product and scale testing~~] ***products regulatory*** fund, established under RSA 435:20, IV.

319:2 Registration; Agricultural Products Regulatory Fund. Amend RSA 431:4, II to read as follows:

II. The fees collected under this section shall be deposited with the state treasurer into [~~the general fund as unrestricted revenue.~~] ***the agricultural products regulatory fund established in RSA 435:20, IV.***

319:3 Inspection Fees and Tonnage Reports; Agricultural Products Fund. Amend RSA 431:6, IV to read as follows:

IV. Fees collected under this section shall be deposited with the state treasurer into [~~the general fund as unrestricted revenue~~] ***the agricultural products regulatory fund established in RSA 435:20, IV***.

319:4 Registration; Agricultural Products Regulatory Fund. Amend RSA 431:27, I to read as follows:

I. Each separately identified product shall be registered before being distributed in this state. The application for registration shall be submitted to the commissioner on a form furnished or approved by the commissioner and shall be accompanied by a fee of $50 per product. The fees collected under this section shall be deposited with the state treasurer into the [~~general fund as unrestricted revenue~~] ***agricultural products regulatory fund***. Upon approval by the commissioner, a copy of the registration shall be furnished to the applicant. All registrations expire on January 1 of the following year.

319:5 Registration and Inspection Fees; Agricultural Products Regulatory Fund. Amend RSA 433-A:6 to read as follows:

433-A:6 Registration and Inspection Fees; Fund Established. The commissioner shall collect a $50 annual registration and inspection fee for each product registered. The fees collected under this section shall be deposited with the state treasurer into the [~~agriculture products and scale testing fund~~] ***agricultural products regulatory fund*** established in RSA 435:20, IV. Moneys from the fund shall be used to offset costs associated with registration and inspection of horticultural growing media.

319:6 Agricultural Products Fund. Amend RSA 435:20, IV-V to read as follows:

IV.***(a)*** One-half of the fees collected under this section shall be deposited with the state treasurer into a separate, nonlapsing account to be known as the agricultural [~~product and scale testing~~] ***products regulatory*** fund. The remainder of the fees collected under this section shall be deposited in the general

fund, provided that for each biennium, the commissioner of agriculture, markets, and food shall include in the department's biennial request for appropriations pursuant to RSA 9:4 an amount sufficient to fund an adequate cost of care fund as provided in RSA 437-B:1.

(b) The purpose of the agricultural products regulatory fund shall be to regulate agricultural products, including the inspection, sampling, and testing of commercial feed under RSA 435:19, plant and soil additives under RSA 431:1-a, and horticultural growing media under RSA 433-A:3 for consistency with label guarantees; undertaking compliance and enforcement actions; and contributing to the maintenance costs of the departmental electronic data processing system.

V. The commissioner shall transfer funds from the[~~ agricultural product and scale testing~~] *agricultural products regulatory* fund established under RSA 435:20, IV to the animal records database fund established in RSA 437:8-a to develop and make operational the animal records database. The commissioner shall certify to the secretary of state and the director of the office of legislative services the date on which the animal records database is operational. For 2 years after such certification, if needed for database operation and maintenance, the commissioner may continue to transfer additional funds from the agricultural product and scale testing fund to the animal records database fund for this purpose.

319:7 Effective Date. This act shall take effect July 1, 2025.

Approved: August 02, 2024
Effective Date: July 01, 2025