

Floor Amendment to HB 1275

1 Amend the bill by replacing all after the enacting clause with the following:

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3 1 New Subdivision; PFAS in Agriculture. Amend RSA 431 by inserting after section 36 the
4 following new subdivision:

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PFAS in Agriculture

6 431:37 Per- and Polyfluorinatedalkyl Substances; Civil Immunity. Any person engaged in the
7 practice of farming shall be immune from suit and civil liability for any damages resulting from
8 claims based on harms caused by per and poly fluorinated alkyl substances present in soil, water, or
9 agricultural products as a result of standard agricultural practices, including the land application of
10 sludge or biosolids.

11 2 Water Pollution and Waste Disposal; Land Application of Sludge. Amend RSA 485-A:5-d to
12 read as follows:

13 485-A:5-d Land Application of Sludge.

14 ***I.*** Sludge or biosolids which are to be land applied in New Hampshire shall not exceed the
15 maximum concentrations for specific chemical contaminants contained in the rules of the
16 department, or the rules or regulations of the state in which the sludge was generated, whichever
17 are more stringent.

18 ***II.*** ***By June 30, 2027, the department shall initiate rulemaking under RSA 541-A to***
19 ***develop concentration-based standards for PFAS in biosolids at land-application sites.***
20 ***Such standards shall be set for those PFAS compounds for which an ambient groundwater***
21 ***quality standard has been established under RSA 485-C. Such rulemaking shall include***
22 ***requirements for PFAS soil testing at land-application sites. Beginning January 1, 2028,***
23 ***land application shall not occur if biosolid or soil PFAS concentrations exceed the***
24 ***applicable standards.***

25 3 Effective Date. This act shall take effect upon its passage.

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AMENDED ANALYSIS

This bill grants immunity from civil liability to farmers for damages resulting from claims based on harms caused by certain per and poly fluorinated alkyl substances present in soil, water, or agricultural products. This bill also requires the department of environmental services to develop concentration-based standards for PFAS in biosolids at land-application sites.