

HB 1275 - AS AMENDED BY THE SENATE

11Mar2026... 0925h
11Mar2026... 1079h
05/07/2026 1593s
05/07/2026 1792s
05/14/2026 1879s

2026 SESSION

26-2843
08/07

HOUSE BILL **1275**

AN ACT relative to the effects of per- and polyfluoroalkyl substances on agriculture, exempting certain per- and polyfluoroalkyl products from use restrictions, and relative to the definition of "drinking water standard".

SPONSORS: Rep. W. Thomas, Hills. 12; Rep. N. Murphy, Hills. 12

COMMITTEE: Environment and Agriculture

AMENDED ANALYSIS

This bill:

I. 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.

II. Requires the department of environmental services to develop concentration-based standards for PFAS in biosolids at land-application sites.

III. Exempts certain per and polyfluoroalkyl products from use restrictions.

IV. Amends the definition of "drinking water standard" as it pertains to maximum contaminant levels in certain water management and protection funds and programs.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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In the Year of Our Lord Two Thousand Twenty-Six

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

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

PFAS in Agriculture

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

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

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

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

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

3 New Subparagraph; Solid Waste Management; Regulation of Advanced Recycling; Consumer Products; Per- and Polyfluoroalkyl Substance Use Restricted. Amend RSA 149-M:64, II(a) by inserting after subparagraph (5) the following new subparagraph:

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(6) Products authorized by or under contract with the United States Department of Defense that are or may be covered by the International Traffic in Arms Regulations (ITAR), 22 C.F.R. parts 120-130, or the Export Administration Regulations (EAR), 15 C.F.R. part 730, et seq.

4 Per And Polyfluoroalkyl Substances (PFAS) Fund And Programs; Definitions. Amend RSA 485-H:2, III to read as follows:

III. "Drinking water standard" means the **(PFAS)** maximum contaminant levels established pursuant to RSA 485:16-e ***or, at the discretion of the commissioner, an analogous federal standard.***

5 Effective Date.

I. Section 4 of this act shall take effect 60 days after its passage.

II. The remainder of this act shall take effect upon its passage.