

HB1275: Protecting New Hampshire Farms and Communities

From PFAS Contamination in Sewage Sludge

What this bill does

HB 1275 addresses PFAS contamination on New Hampshire farmland and provides protections and support for affected farmers. It does four main things:

1. Creates an Agricultural PFAS Relief Fund

The bill establishes a dedicated fund to help farmers who have suffered financial losses or incurred costs because PFAS contamination was found (or suspected) in their soil, water, or agricultural products. The fund can be used for:

- Testing soil, water, and farm products for PFAS
- Installing water filtration systems
- Covering costs related to disrupted farm operations or changes in management practices
- Remediation and cleanup efforts
- Physical and mental health needs related to PFAS exposure
- Farmer education and adaptation support

2. Ensures polluters, not farmers, pay.

The relief fund is designed to be financed by:

- Money recovered from PFAS manufacturers
- Settlements or penalties connected to sludge or biosolid contamination
- Federal funds, grants, donations, and interest earned

Importantly, companies involved in producing or spreading sludge or biosolids are barred from receiving money from the fund.

3. Provides civil liability protection for farmers.

Farmers are granted immunity from lawsuits for PFAS contamination when it resulted from **standard agricultural practices**, such as applying sludge or biosolids that were previously approved or encouraged. This protects farmers from being unfairly blamed for contamination they did not cause.

4. Imposes a 5-year moratorium on sludge contamination on farmland.

To prevent further contamination while science, testing, and remediation catch up, the bill temporarily halts the agricultural application of sludge, biosolids and any other materials mixed with sludge for five years.

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Why this bill is needed

1. Farmers followed the rules and were harmed anyway.

For decades, farmers were encouraged or permitted to use sludge and biosolids as fertilizer. PFAS contamination from these materials was not disclosed, leaving farmers unknowingly exposed.

2. PFAS contamination can destroy farms.

Once PFAS is detected, farms can lose their ability to sell products, access clean water, or even continue operating. The financial and emotional toll has been devastating for many farm families.

3. Without help, farmers bear the costs of corporate pollution.

Testing, filtration, remediation, and lost income can cost hundreds of thousands of dollars—far beyond what most farms can absorb.

4. Prevention matters as much as cleanup.

The moratorium ensures the state does not repeat past mistakes while longer-term solutions are developed.

Bottom line

HB 1275 protects farmers, holds polluters accountable, prevents future contamination, and helps preserve New Hampshire's agricultural economy. It recognizes that farmers are victims, not perpetrators, of PFAS pollution and provides both immediate relief and long-term safeguards.

HB1275: PROTECTING NEW HAMPSHIRE FARMS AND COMMUNITIES FROM PFAS CONTAMINATION IN SEWAGE SLUDGE



1. CREATES A FARMER RELIEF FUND

The bill establishes a dedicated fund to help farmers who have suffered financial losses or incurred costs because of suspected or found PFAS contamination in their soil, water, or agricultural products.



2. ENSURES POLLUTERS, NOT FARMERS, PAY

The relief fund is designed to be financed in part by money recovered from PFAS manufacturers and sludge or biosolid contamination. Importantly, companies involved in producing or spreading sludge or biosolids are barred from receiving money from the fund.



3. PROTECTS FARMERS FROM CIVIL LIABILITY

Farmers are granted immunity from lawsuits for PFAS contamination from the previously encouraged practice of applying sludge or biosolids. This protects farmers from being unfairly blamed for contamination they did not cause.



4. IMPOSES A 5-YEAR SLUDGE BAN

To prevent further contamination while science, testing, and remediation catch up, the bill temporarily halts the application of sludge or biosolids for five years.

WHY THIS BILL IS NEEDED?

Farmers followed the rules and were harmed anyway.

For decades, farmers were encouraged or permitted to use sludge and biosolids as fertilizer. PFAS contamination from these materials was not disclosed, leaving farmers unknowingly exposed.

PFAS contamination can destroy farms.

Once PFAS is detected, farms can lose their ability to sell products, access clean water, or even continue operating. The financial and emotional toll has been devastating for many farm families.

Without help, farmers bear the costs of corporate pollution.

Testing, filtration, remediation, and lost income can cost hundreds of thousands of dollars—far beyond what most farms can absorb.

Prevention matters as much as cleanup.

The moratorium ensures the state does not repeat past mistakes while longer-term solutions are developed.

HB1275 recognizes that farmers are **victims** of **PFAS** pollution in **sewage sludge** (biosolids) and provides immediate relief and safeguards to preserve New Hampshire's agricultural economy.

WHAT DOES THE FUND COVER?

For farms with suspected or found PFAS contamination, the fund can be used for:

- PFAS testing for soil, water, and farm products
- Water filtration systems installation
- Costs related to disruption or changes in farm operations
- Remediation and cleanup efforts
- Physical and mental health needs related to PFAS exposure
- Farmer education and adaptation support

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2026 SESSION

26-2843

08/07

HOUSE BILL **1275**

AN ACT relative to the effects of per- and polyfluoroalkyl substances on agriculture.

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

COMMITTEE: Environment and Agriculture

ANALYSIS

This bill creates the agricultural PFAS remediation fund in order to assist farmers in New Hampshire who have suffered losses or incurred costs resulting from the actual or suspected presence of PFAS in soil, water, or agricultural products as a result of standard agricultural practices, including the land application of sludge or biosolids. This bill also imposes a 5 year moratorium on the spreading and application of sludge and biosolids for agricultural use.

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.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty-Six

AN ACT relative to the effects of per- and polyfluoroalkyl substances on agriculture.

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

1 1 New Paragraph; Definitions; Per- and Polyfluoroalkyl Substances. Amend RSA 485-A:2 by
2 inserting after paragraph XXIV the following new paragraph:

3 XXV. "Per- and polyfluoroalkyl substances" means any member of the class of manufactured
4 fluorinated chemicals containing at least one fully fluorinated carbon atom.

5 2 New Subdivision; PFAS in Agriculture. Amend RSA 431 by inserting after section 36 the
6 following new subdivision:

7 PFAS in Agriculture

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

13 431:38 Agricultural Per- and Polyfluorinatedalkyl Substances (PFAS) Relief Fund.

14 I. There shall be established and set up a separate fund to be known as the agricultural
15 PFAS relief fund, which shall be used exclusively to assist farmers in New Hampshire who have
16 suffered losses or incurred costs resulting from the actual or suspected presence of PFAS in soil,
17 water, or agricultural products as a result of standard agricultural practices, including the land
18 application of sludge or biosolids.

19 II. The agricultural PFAS relief fund shall be credited with money from:

20 (a) Amounts recovered in connection with litigation, settlements, fines, or other actions
21 against the manufacturers of PFAS and PFAS containing products;

22 (b) Amounts recovered in connection with claims arising from the sources of PFAS
23 contamination on farmland from the land application of sludge or biosolids, products derived from
24 sludge or biosolids, and other agricultural products that contain PFAS;

25 (c) Gifts, grants, and donations from public or private sources;

26 (d) Federal reimbursements and grants-in-aid; and

27 (e) Any interest earned from the fund.

28 III. The department of agriculture, markets, and food shall establish rules under RSA 541-A
29 to direct the expenditure of moneys from the agricultural PFAS relief fund for the following
30 purposes:

31 (a) Testing of soil, water, or agricultural products for PFAS;

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1 (b) Water filtration systems to reduce the presence of PFAS in drinking water;

2 (c) Costs incurred from adapting management and business practices as a result of the
3 disallowance of use of products containing PFAS or the disruption of business caused by the presence
4 of PFAS;

5 (d) Development and implementation of educational resources for farmers to adapt to
6 management changes resulting from the presence of PFAS;

7 (e) Testing and other physical and mental health needs of farm owners and personnel
8 resulting from exposure to PFAS;

9 (f) Remediation practices and needed infrastructure for the reduction or elimination of
10 PFAS; and

11 (g) Any other purposes the department determines are a prudent use of the funds.

12 IV. Money from the fund shall not be distributed to an entity that:

13 (a) Operate, or previously have operated, a solid waste management facility as defined
14 by RSA 149-M:4, IX; or

15 (b) Hold, or previously held, a permit under RSA 485-A:4, XVI-d, to transport or process
16 sludge or biosolids.

17 V. Priority shall be given to applicants based on the following criteria:

18 (a) The number of times and total volume of sludge historically applied to the site;

19 (b) The current land use, with priority given to sites used for agricultural purposes; and

20 (c) Any other criteria determined by the department of agriculture markets and food.

21 3 New Subparagraph; Agricultural PFAS Relief Fund. Amend RSA 6:12, I(b) by inserting after
22 subparagraph (410) the following new subparagraph:

23 (411) Moneys deposited into the agricultural PFAS relief fund established in RSA
24 431:3.

25 4 Moratorium. The land application of sludge or biosolids on land used for agricultural purposes
26 shall be prohibited for a period of 5 years from the effective date of this section.

27 5 Effective Date. This act shall take effect 60 days after its passage.