



# VERMONT LEGISLATIVE Joint Fiscal Office

1 Baldwin Street • Montpelier, VT 05633-5701 • (802) 828-2295 • <https://ljfo.vermont.gov>

## Fiscal Note

May 29, 2025

James Duffy, Fiscal Analyst

### **H.484 – An act relating to miscellaneous agricultural subjects**

#### **Senate Proposal of Amendment<sup>1,i</sup>**

#### **Bill Summary**

**T**his bill would make various changes to agricultural and environmental statutes, use value appraisal (UVA) eligibility criteria, and hazardous waste collection and disposal programs.

#### **Fiscal Impact**

Several provisions of the bill would have fiscal impacts:

- The bill provisions pertaining to beneficial agricultural substances would have a de minimis impact on State revenue.
- The new pesticide registration fee would generate an estimated \$613,000 for the Pesticide Monitoring Special Fund in fiscal year 2026.
- Changes to the eligibility criteria for agricultural land enrollment in use value appraisal could increase the number of land parcels enrolled in UVA.
- Provisions pertaining to household hazardous waste collection plans and the Paint Product Stewardship Program would have a de minimis impact on State revenue.

#### **Section 1: Registration requirements for beneficial agricultural substances**

Under current law, distributors of fertilizer and other substances that promote plant growth, such as soil amendments and plant biostimulants, must register their products annually with the Secretary of Agriculture, Food, and Markets. Distributors pay an annual \$85 registration fee per product to do so. Registration fees are deposited to the “AF&M – Feed Seeds & Fertilizer” special fund, the use of which is restricted to State agricultural programs.

This bill introduces a definition of “beneficial substances” to statute. This is a largely technical change that is meant to align Vermont with national standards for product definition and labeling to promote the uniform regulation of these substances. Most products captured by this definition are non-fertilizer substances that are beneficial to plant growth, such as soil amendments and biostimulants, that are already registered and distributed in Vermont. This bill updates statutory language to clarify that these substances, while placed under a new definition, continue to fall under existing registration requirements.

If this bill results in increased product registrations (and \$85 fees paid to the State), it could increase State

---

<sup>1</sup> The Joint Fiscal Office (JFO) is a nonpartisan legislative office dedicated to producing unbiased fiscal analysis – this fiscal note is meant to provide information for legislative consideration, not to provide policy recommendations.

revenue. However, the Agency of Agriculture, Food and Markets (AAFM) is aware of only a few products registered in other states that might be newly subject to this bill's registration requirements. Given that AAFM already registers several thousand products annually, it does not expect a significant increase in registrations or revenue from this bill. Any fiscal impact is expected to be minimal, likely under \$1,000 annually.

### **Sections 2 and 3: Pesticide registration fee and disposal funding study**

Currently, every pesticide sold in the State must be registered annually with AAFM. Registrants pay an annual fee of \$200 for each product registered. Of this amount, \$185 is deposited to the Pesticide Monitoring Special Fund and \$15 is deposited to the Agricultural Water Quality Special Fund.

Section 2 of the bill would establish an additional \$50 fee charged to registrants of pesticide products and deposited to the Pesticide Monitoring Special Fund. This fee would be used to generate additional revenue for AAFM's support of costs incurred by solid waste management districts in disposing of obsolete and unwanted pesticides. The fee would be collected until an extended producer responsibility program for pesticides is implemented in the State that fully funds the collection of obsolete and unwanted pesticides. The Joint Fiscal Office (JFO) estimates this provision would generate an additional \$613,000 in revenue for the Pesticide Monitoring Special Fund in fiscal year 2026.

Section 3 would direct the Secretary of Agriculture, Food and Markets, in consultation with the Commissioner of Environmental Conservation, to study potential funding sources to reimburse solid waste management entities for all costs associated with the collection and disposal of unwanted or obsolete pesticides at municipal hazardous waste collection events. The study would also consider the viability of an extended producer responsibility program for pesticides, as well as other disposal options. The Secretary would be required to submit a report to the committees of jurisdiction by December 15, 2025.

### **Section 5: Use value appraisal**

Section 5 of the bill would amend one of the criterion used to define agricultural land for the purposes of UVA eligibility, effective January 1, 2026. Under current law, land is presumed to be used for agricultural purposes based on parcel size and annual gross income from the sale of farm crops in 1) one of the two or 2) three of the five preceding calendar years:

- \$2,000 in annual gross income from the sale of crops for parcels up to 25 acres
- \$75 per acre in annual gross income for each acre over 25, with total income required not to exceed \$5,000.

This bill would amend these criteria to include the equivalent value of donated farm crops in addition to the sale of farm crops. The fiscal impact of this provision would depend on future landowner decision-making regarding the sale or donation of farm crops, and the extent to which these decisions would qualify additional land parcels for UVA enrollment.

### **Section 11: Agency of Natural Resources Administration of Household Hazardous Waste Collection Plans**

Section 7 would require the Secretary of Natural Resources to adopt and administer certain household hazardous waste collection plans if manufacturers fail to meet their obligations to submit these plans to the State under 10 V.S.A. § 7183 by July 1, 2025. If manufacturers comply by the deadline, ANR would not be required to take this action.

Under current law, manufacturers must run collection programs for specified household hazardous waste, with ANR overseeing and approving their plans. The proposed language in this section would act as a contingency: if manufacturers do not submit their required plans by July 1, 2025, ANR must implement one on their behalf. The State would recover its costs by charging each manufacturer a prorated share of plan administration and oversight costs, plus an additional charge equal to 10% of the plan's total cost. This charge

would be deposited in the Solid Waste Management Account within the Waste Management Assistance Fund to support pollution prevention and hazardous waste reduction grants for municipalities and small businesses.

Based on information provided by ANR, the fiscal impact of this section on Solid Waste Management Account revenue is likely de minimis. ANR expects the potential imposition of a 10% charge would incentivize full manufacturer compliance, meaning it is unlikely to be triggered. To the extent this expectation holds, no additional State revenue or costs will be generated by this provision in fiscal year 2026 or beyond.

### **Section 14: Paint Product Stewardship Program**

This section would amend requirements under Vermont's Paint Stewardship Program, which provides environmentally sound disposal of postconsumer architectural paint free of charge to the individual disposing of the product.

Under current law, architectural paint cannot be sold in the State unless its producer or a nonprofit stewardship organization acting on its behalf implements a Paint Stewardship Program plan approved by the Secretary of Natural Resources. Vermont's Paint Stewardship Program is run by PaintCare, a nonprofit stewardship organization. The costs incurred by PaintCare to transport and process postconsumer paint are covered by a paint stewardship assessment fee paid by the producer, which is passed on to consumers as an addition to the product's purchase price.<sup>2</sup>

This bill would make several changes to the Paint Stewardship Program:

- Change how the paint stewardship assessment for architectural paint is set from approval by the Secretary of Natural Resources to specification in statute. The bill would codify the existing stewardship assessment fee for architectural paint into law:
  - \$0 for each half pint or smaller;
  - \$0.65 for amounts greater than a half pint but less than one gallon;
  - \$1.35 for amounts greater than one gallon but less than two; and
  - \$2.45 for amounts greater than one gallon but less than five.
- Rename the Paint Stewardship Program the "Paint Product Stewardship Program" (Program) and expand its requirements to producers of aerosol coating products, coating-related products, and nonindustrial coatings.

### **Section 15: Implementation; Fee Report**

The bill would also require the Secretary of Natural Resources to recommend stewardship assessment fees for architectural paint and other paint products to the committees of jurisdiction by December 15, 2025. The new Program requirements for non-architectural paint products would then take effect on July 1, 2026.

The bill would also require producers of aerosol coating products, coating-related products, and nonindustrial coatings to do the following:

- Submit a stewardship plan for the expanded Program to the Secretary by July 1, 2026
- Report annually to the Secretary on Program operation beginning on March 1, 2027

Aerosol coating products, coating-related products, and nonindustrial coatings are not currently subject to a stewardship assessment fee. Once the expanded Program requirements take effect, consumers would pay a paint product stewardship assessment fee on the purchase of these products. The amount of this assessment fee would be set by the General Assembly after receipt of the Secretary's fee report. This fee would increase the purchase price that is subject to sales tax, thus increasing the sales tax collected by the State on these products.<sup>3</sup>

---

<sup>2</sup> 10 VSA § 6672

<sup>3</sup> Tax Department letter regarding paint stewardship assessment

The amount of this increase would depend on future sales of these products and the amount of the stewardship assessment fee. For reference, the existing fee schedule on the sale of architectural paint generated approximately \$994,000 in revenue for PaintCare's Vermont program in calendar year 2024. Because stewardship assessment fees are subject to the six percent Vermont sales tax, this sum generated approximately \$60,000 in sales tax revenue over that period.

---

<sup>1</sup> The full fiscal note history is available on the fiscal tab of the bill page on the General Assembly website and can be accessed through a bill number search on the JFO page.