

Chapter 546

(Senate Bill 700)

AN ACT concerning

Registration of Pesticides – Fee Increase – Disposition of Fees

FOR the purpose of increasing certain pesticide registration fees; providing that at least a certain amount of certain pesticide registration fees may be used only for activities of the Department of Agriculture relating to the collection, analysis, and reporting of data on pesticide use in the State; specifying that money expended from the State Chemist Fund for a certain purpose is supplemental to and not intended to take the place of certain other funding; and generally relating to pesticide registration fees.

BY repealing and reenacting, without amendments,
Article – Agriculture
Section 5–105(a)
Annotated Code of Maryland
(2007 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,
Article – Agriculture
Section 5–105(d) and 6–501
Annotated Code of Maryland
(2007 Replacement Volume and 2013 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Agriculture

5–105.

(a) Except as provided in subsection (g) of this section, a distributor shall register with the Secretary each brand or product name of a pesticide before distributing it in the State. The registration for each pesticide expires December 31 each year.

(d) **(1)** The applicant shall pay an annual fee of [~~\$100~~] **\$110** to the Secretary for each product registered.

(2) Unless the Secretary determines otherwise, each applicant also shall pay a terminal registration fee of ~~[\$100]~~ **\$110** for each discontinued pesticide each year for two years.

6-501.

(a) In this section, "Fund" means the State Chemist Fund.

(b) The Fund is created as a special, nonlapsing fund in the Department for the purpose specified in this section.

(c) The Fund shall consist of any registration, inspection, or late fees or any penalties collected under this title or under Title 5, Subtitle 1 of this article.

(d) **(1) [The] EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE** Fund may be used only to defray partially the cost of inspection, sampling, analysis, and other expenses necessary for administering this title or Title 5, Subtitle 1 of this article.

(2) OF EACH ANNUAL REGISTRATION FEE AND EACH TERMINAL REGISTRATION FEE COLLECTED UNDER § 5-105 OF THIS ARTICLE, AT LEAST \$10 SHALL BE USED ONLY FOR ACTIVITIES OF THE DEPARTMENT RELATING TO THE COLLECTION, ANALYSIS, AND REPORTING OF DATA ON PESTICIDE USE IN THE STATE.

(e) At the end of a fiscal year, any unexpended or unencumbered money in the Fund, up to a maximum of \$375,000, may not revert to the General Fund of the State.

(F) MONEY EXPENDED FROM THE FUND FOR ACTIVITIES OF THE DEPARTMENT RELATING TO THE COLLECTION, ANALYSIS, AND REPORTING OF DATA ON PESTICIDE USE IN THE STATE IS SUPPLEMENTAL TO AND IS NOT INTENDED TO TAKE THE PLACE OF FUNDING THAT OTHERWISE WOULD BE APPROPRIATED FOR SUCH ACTIVITIES.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2014.

Approved by the Governor, May 15, 2014.