

OFFICE OF FISCAL ANALYSIS

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sSB-963

AN ACT CONCERNING NEONICOTINOIDS FOR
NONAGRICULTURAL USE.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 24 \$	FY 25 \$
Department of Energy and Environmental Protection	GF - Revenue Gain	Potential	Potential
Department of Energy and Environmental Protection	GF - Cost	31,541	64,659
State Comptroller - Fringe Benefits ¹	GF - Cost	13,506	27,687

Note: GF=General Fund

Municipal Impact: None

Explanation

The bill establishes a ban, beginning January 1, 2024, on selling, possessing, or using pesticide neonicotinoid pesticides, with certain exemptions (including agriculture).² This results in total costs to the state of \$45,047 in FY 24 (for nine months) and \$92,346 in FY 25 for a new Environmental Analyst 2 within the Department of Energy and Environmental Protection (DEEP) to handle the bill's requirements. The costs may be offset by revenue resulting from violations to the extent they are enforced by the new staff person.

The costs of the new DEEP analyst are: (1) \$31,541 to DEEP in FY 24;

¹The fringe benefit costs for most state employees are budgeted centrally in accounts administered by the Comptroller. The estimated active employee fringe benefit cost associated with most personnel changes is 42.82% of payroll in FY 24.

²A neonicotinoid is a pesticide that impacts the nervous system of an organism.

and (2) \$13,506 in FY 24 to the Office of the State Comptroller for associated fringe benefits, adjusting for six months. These costs are annualized in FY 25.

Currently, there are no DEEP staff solely tasked with identification of neonicotinoid products; the new staff person would be tasked with this in addition to performing the product reclassification, inspection, and enforcement activities. There are presently two dedicated staff at DEEP who are responsible for all pesticide registration and classification (including aquatic permitting), and there are currently over 13,000 pesticide product registrations within the Pesticide Management Program.

Regarding inspections and enforcement, there are currently three staff at DEEP performing all pesticide inspections and a portion of a staff position performing enforcement activities regarding pesticide laws of approximately 1,100 registered pesticides (and arborist businesses), approximately 9,000 commercial pesticide applicators, 500 certified private applicators (farms), and an unknown number of pesticide retailers.

The bill also authorizes DEEP to assess a civil penalty of up to \$2,500 per violation to anyone who violates the ban. To the extent that violations are discovered and fined, this will result in a revenue gain to the General Fund.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation and changes in staff salaries and benefits.