

SENATE BILL 203

M4

8lr2051

By: **Senators Middleton and Guzzone**

Introduced and read first time: January 18, 2018

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable

Senate action: Adopted

Read second time: February 6, 2018

CHAPTER _____

1 AN ACT concerning

2 **Agriculture – Nutrient Management – Fertilizer Use on Turf**

3 FOR the purpose of altering the type of fertilizer and the application rate at which a certain
4 type of fertilizer may be applied to turf by a professional fertilizer applicator during
5 a certain time of the year; altering certain restrictions on the application of a
6 fertilizer containing nitrogen to turf by a professional fertilizer applicator; altering
7 certain limitations on the application of an enhanced efficiency fertilizer by a
8 professional fertilizer applicator; altering certain conditions under which a
9 professional fertilizer applicator may apply organic or natural organic fertilizer
10 containing phosphorus; and generally relating to fertilizer use on turf.

11 BY repealing and reenacting, without amendments,
12 Article – Agriculture
13 Section 8–803.4(a) and (b)
14 Annotated Code of Maryland
15 (2016 Replacement Volume and 2017 Supplement)

16 BY repealing and reenacting, with amendments,
17 Article – Agriculture
18 Section 8–803.4(d), (f), and (g)
19 Annotated Code of Maryland
20 (2016 Replacement Volume and 2017 Supplement)

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



Article – Agriculture

1

2 8–803.4.

3 (a) In this section, “fertilizer” means a commercial fertilizer and specialty
4 fertilizer.

5 (b) (1) This section applies to a professional fertilizer applicator who applies
6 fertilizer to:

7 (i) Property that is not used for agricultural purposes; or

8 (ii) State property that is not used for agricultural purposes.

9 (2) This section does not apply to the application of fertilizer on commercial
10 farms.

11 (d) (1) Except as provided in paragraph (2) of this subsection, a professional
12 fertilizer applicator may not apply fertilizer containing phosphorus or nitrogen to turf:

13 (i) Before March 1 or after November 15 of any calendar year;

14 (ii) Any time the ground is frozen; or

15 (iii) In an amount that is inconsistent with the annual recommended
16 rate established by the University of Maryland.

17 (2) From November 16 through December 1 of each calendar year, a
18 professional fertilizer applicator may apply [water-soluble] **FERTILIZER CONTAINING**
19 nitrogen to turf at an application rate of no more than 0.5 pounds **OF NITROGEN** per 1,000
20 square feet of [water-soluble nitrogen] **TURF**.

21 (f) (1) Except as provided in paragraph (2) of this subsection, a professional
22 fertilizer applicator may not apply fertilizer containing nitrogen to turf:

23 (i) At an application rate of more than 0.7 pounds **OF**
24 **WATER-SOLUBLE NITROGEN** per 1,000 square feet of [water-soluble nitrogen] **TURF**;
25 and

26 (ii) At an application rate of more than 0.9 pounds **OF NITROGEN**
27 per 1,000 square feet of [total nitrogen] **TURF**.

28 (2) (i) Subject to subparagraphs (ii) and (iii) of this paragraph, a
29 professional fertilizer applicator may apply an enhanced efficiency fertilizer:

1 1. At an annual application rate of no more than 2.5 pounds
2 **OF NITROGEN** per 1,000 square feet of **[nitrogen] TURF**; and

3 2. That has a release rate of no more than 0.7 pounds **OF**
4 **TOTAL NITROGEN** per 1,000 square feet of **[total nitrogen] TURF** per month.

5 (ii) The annual total application rate of an enhanced efficiency
6 fertilizer may not exceed 80% of the annual recommended rate for total nitrogen
7 established by the University of Maryland.

8 (iii) An enhanced efficiency fertilizer may not be applied after
9 November 15 or before March 1 of each calendar year.

10 (g) (1) Except as provided in paragraphs (2) and (4) of this subsection, a
11 professional fertilizer applicator may not apply fertilizer containing phosphorus to turf.

12 (2) A professional fertilizer applicator may apply organic or natural organic
13 fertilizer containing phosphorus to turf when:

14 (i) **[1.]** A soil test performed no more than 3 years before the
15 fertilizer application indicates a low or medium level of phosphorus; and

16 **[2.] (II)** The fertilizer is applied at a rate recommended by
17 the University of Maryland; and

18 (ii) 1. Beginning October 1, 2013, a soil test performed no more
19 than 3 years before the fertilizer application indicates a low or medium level of phosphorus;
20 and

21 2. A low phosphorus fertilizer, as defined under § 6–201 of
22 this article, that is an organic or natural organic fertilizer is applied at a rate recommended
23 by the University of Maryland].

24 (3) Paragraph (2) of this subsection does not authorize a professional
25 fertilizer applicator to apply fertilizer containing phosphorus when a soil test indicates an
26 optimum or excessive level of phosphorus.

27 (4) A professional fertilizer applicator may apply fertilizer to turf
28 containing phosphorus if the professional fertilizer applicator:

29 (i) Determines that the fertilizer is necessary for the specific soils
30 and target vegetation in accordance with a soil test performed no more than 3 years before
31 the fertilizer application, provided the application complies with the recommendations
32 established by the University of Maryland;

33 (ii) Is establishing vegetation for the first time, such as after land

1 disturbance, provided the application complies with the recommendations established by
2 the University of Maryland; or

3 (iii) Is reestablishing or repairing a turf area.

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
5 October 1, 2018.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.