

## SENATE BILL No. 546

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### DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 15-16-2-51.

**Synopsis:** Consumer information concerning phosphorus. Requires distributors, retailers, and persons engaged in lawn care service who sell or offer for sale a fertilizer containing phosphorus for use on a lawn to make available to the customer certain information regarding phosphorus.

**Effective:** July 1, 2013.

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## Charbonneau

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January 14, 2013, read first time and referred to Committee on Environmental Affairs.

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First Regular Session 118th General Assembly (2013)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2012 Regular Session of the General Assembly.

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# SENATE BILL No. 546



A BILL FOR AN ACT to amend the Indiana Code concerning agriculture and animals.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 15-16-2-51 IS ADDED TO THE INDIANA CODE  
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
3 1, 2013]: **Sec. 51. (a) As used in this section, "fertilizer containing  
4 phosphorus" means fertilizer containing at least sixty-seven  
5 hundredths percent (0.67%) of phosphorus by weight, excluding  
6 biologically stable material derived from composting or the aerobic  
7 thermophilic decomposition of organic matter.**  
8 **(b) As used in this chapter, "lawn" means any nonagricultural  
9 land area that is covered by grass. The term does not include  
10 flower or vegetable gardens, pasture, cropland, trees, shrubs, turf  
11 grown on sod farms, or any land used for agricultural or livestock  
12 production.**  
13 **(c) A distributor or retailer who sells or offers for sale a  
14 fertilizer containing phosphorus for use on a lawn shall do the  
15 following:**  
16 **(1) Provide consumer materials, developed by the state  
17 chemist, that include the following information:**



- 1           **(A) Recommended best management practices for the use**  
 2           **of a fertilizer containing phosphorus on a lawn.**  
 3           **(B) Information on the water quality problems phosphorus**  
 4           **can cause.**  
 5           **(C) An explanation of how to determine if a fertilizer**  
 6           **contains phosphorus.**  
 7           **(D) A statement that phosphorus is often not necessary to**  
 8           **improve lawn health.**  
 9           **(2) Post a sign, approved by the state chemist, that presents**  
 10           **the following information in plain language and in an easy to**  
 11           **understand format:**  
 12               **(A) Provides information on the water quality problems**  
 13               **phosphorus can cause.**  
 14               **(B) Explains that phosphorus is often not necessary to**  
 15               **improve lawn health.**  
 16               **(C) Explains how to determine if a commercial fertilizer**  
 17               **contains phosphorus.**  
 18           **(d) The sign required in subsection (c)(2) must meet the**  
 19           **following requirements:**  
 20               **(1) Is clearly visible to the customer.**  
 21               **(2) Is located where fertilizers containing phosphorus are**  
 22               **displayed.**  
 23               **(3) Is at least eleven (11) inches in height by seventeen (17)**  
 24               **inches in width.**  
 25               **(4) Is positioned at least four (4) feet but not more than seven**  
 26               **(7) feet above the floor.**  
 27           **(e) A person who is engaged in lawn care service (as defined in**  
 28           **IC 15-16-3-4) whose service includes the use of a fertilizer**  
 29           **containing phosphorus must provide to each customer written**  
 30           **educational information, approved by the state chemist, that**  
 31           **includes the following information:**  
 32               **(1) Recommended best management practices for the use of**  
 33               **a fertilizer containing phosphorus on a lawn.**  
 34               **(2) Information on the water quality problems phosphorus**  
 35               **can cause.**  
 36               **(3) A statement that phosphorus is often not necessary to**  
 37               **improve lawn health.**

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