

HOUSE BILL 455

M4
HB 1438/20 – ENT

11r0938

By: **Delegate Jacobs**

Introduced and read first time: January 15, 2021

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Agriculture – Processing of Poultry Litter for Alternative Use**

3 FOR the purpose of requiring the processing of poultry litter for a certain alternative use,
4 or the product resulting from the processing, to meet certain requirements; requiring
5 a certain product to be able to be procured and handled or applied in a certain
6 manner for a certain purpose; authorizing the transportation of a certain alternative
7 use product off the Delmarva Peninsula to certain markets and using a certain
8 distribution apparatus; defining certain terms; and generally relating to the
9 alternative use of poultry litter.

10 BY adding to

11 Article – Agriculture

12 Section 8–1101 to be under the new subtitle “Subtitle 11. Alternative Use”

13 Annotated Code of Maryland

14 (2016 Replacement Volume and 2020 Supplement)

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

17 **Article – Agriculture**

18 **SUBTITLE 11. ALTERNATIVE USE.**

19 **8–1101.**

20 **(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS**
21 **INDICATED.**

22 **(2) “ALTERNATIVE USE” MEANS THE USE OF POULTRY LITTER OR**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 OTHER ANIMAL MANURE IN AN ENVIRONMENTALLY ACCEPTABLE WAY, OTHER THAN
2 BY DIRECT LAND APPLICATION IN AN UNPROCESSED FORM, AS DETERMINED BY THE
3 DEPARTMENT.

4 (3) "COMMERCIAL POULTRY PRODUCER" HAS THE MEANING STATED
5 IN § 8-704.2 OF THIS TITLE.

6 (B) (1) THE PROCESSING OF POULTRY LITTER FOR AN ALTERNATIVE USE
7 OR THE PRODUCT RESULTING FROM THE PROCESSING, AS APPROPRIATE, SHALL:

8 (I) CONVERT THE PHOSPHORUS CONTENT OF UNPROCESSED
9 POULTRY LITTER TO A FORM THAT IS NOT SOLUBLE IN WATER AND, THEREFORE,
10 INCAPABLE OF PROMOTING AQUATIC ALGAE GROWTH;

11 (II) RETAIN THE PHOSPHORUS IN A FORM THAT MAY BE
12 CONVERTED BY THE NATURAL ACTIVITY OF SOIL-RESIDENT MICROORGANISMS TO
13 BE AVAILABLE TO PLANTS;

14 (III) CONTAIN A COMMUNITY OF NATURAL SOIL
15 MICROORGANISMS THAT ENHANCES OR REPLENISHES FARM SOIL MICROBIOLOGY,
16 WHICH IS ESSENTIAL TO PHOSPHORUS CONVERSION AND OTHER SOIL HEALTH
17 PURPOSES, INCLUDING MEASURABLE ATMOSPHERIC CARBON SEQUESTRATION;
18 AND

19 (IV) RETAIN THE HIGH NUTRIENT VALUE OF POULTRY LITTER.

20 (2) ANY NOXIOUS ODOR FROM POULTRY LITTER SHALL BE
21 ELIMINATED EARLY IN THE PROCESS.

22 (3) TO AVOID OR MINIMIZE ANY DISRUPTION OF LONGSTANDING
23 FARMING OR GROWING REGIMES, AN ALTERNATIVE USE PRODUCT RESULTING FROM
24 THE PROCESSING OF POULTRY LITTER SHALL BE ABLE TO BE PROCURED IN THE
25 SAME MANNER, AT RELATIVELY SIMILAR COST, AND HANDLED OR APPLIED IN THE
26 SAME MANNER AS UNPROCESSED POULTRY LITTER.

27 (4) AN ALTERNATIVE USE PRODUCT RESULTING FROM THE
28 PROCESSING OF POULTRY LITTER MAY BE TRANSPORTED OFF THE DELMARVA
29 PENINSULA:

30 (I) TO ESTABLISHED, IDENTIFIED MARKETS; AND

31 (II) USING A DISTRIBUTION APPARATUS THAT IS IN PLACE AND
32 DOES NOT REQUIRE ANY TRANSPORTATION COST-SHARING ASSISTANCE.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
2 1, 2021.