



HOUSE COMMITTEE ON APPROPRIATIONS

FISCAL NOTE

HOUSE BILL NO. 1166

PRINTER'S NO. 2958

PRIME SPONSOR: Steele

COST / (SAVINGS)

FUND	FY 2023/24	FY 2024/25
Safer Sealant Fund	\$0	See Fiscal Impact

SUMMARY: HB 1166 PN 2958 prohibits the supply, sale, or application of high-PAH sealants on driveways or parking lots. This legislation will take effect immediately.

ANALYSIS: This legislation prohibits the supply, sale, or application of high-PAH sealants on driveways or parking lots.

Definitions

“High-PAH sealant” is defined as a sealant product containing more than 0.1 percent polycyclic aromatic hydrocarbons by weight.

Restrictions

- As of December 31, 2024, a person is prohibited from supplying, selling, or offering for sale a high-PAH sealant for application to a driveway or parking area;
- As of December 31, 2025, a person is prohibited from applying or soliciting the application of a high-PAH sealant to a driveway or parking area;
- A person violating this act shall be subject to a civil penalty of up to \$2,500 for each violation;

Municipal Ordinances

- A municipality may enact an ordinance relating to prohibiting the supply, sale, or solicitation of high-PAH sealants;
- A municipality adopting an ordinance has jurisdiction concurrent with DEP;
- A municipality enforcing an ordinance may collect and use the civil penalty created by this legislation;
- DEP shall draft a model municipal ordinance which may be utilized by a municipality adopting an ordinance;

Regulations

Environmental Quality Board may adopt or promulgate rules or regulations necessary for the administration of this legislation;

Fund

The Safer Sealant Fund is created to receive any civil penalties collected as a result of this legislation. The Fund will be administered by the Department of Environmental Protection.

FISCAL IMPACT: The enactment of this legislation could have a fiscal impact on Commonwealth funds, specifically the Safer Sealant Fund. Provisions of this act provide for the collection of civil penalties of up to \$2,500. The fiscal effect would be a function of the number of penalties assessed and collected; however, the number of potential violations is unknown. As a result, the impact is indeterminate.

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House Appropriations Committee (D)

DATE: April 29, 2024

Estimates are calculated using the best information available. Actual costs and revenue impact incurred may vary from estimates.