

## Session 118 - (2009-2010)

**H\*3964 (Rat #0275, Act #0238 of 2010) General Bill, By Duncan, Ott, Vick, Loftis and Bales**

**Summary:** Seed arbitration

AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 13 TO CHAPTER 21, TITLE 46 SO AS TO UPDATE AND CLARIFY SEED ARBITRATION PROCEDURES; TO AMEND ARTICLE 1, CHAPTER 21, TITLE 46, RELATING TO GENERAL PROVISIONS OF SEED AND PLANT CERTIFICATION, SO AS TO REPLACE OBSOLETE DEFINITIONS, TO REVISE ENFORCEMENT MECHANISMS, TO CLARIFY LICENSING PROCEDURES, AND TO PROVIDE EXEMPTIONS; TO AMEND ARTICLE 3, CHAPTER 21, TITLE 46, RELATING TO LABELS AND TAGS REGARDING SEEDS AND PLANTS, SO AS TO REVISE THE LABELING REQUIREMENTS FOR SEED PRODUCTS, AND TO IMPOSE ADDITIONAL PROHIBITIONS; TO AMEND ARTICLE 5, CHAPTER 21, TITLE 46, RELATING TO ANALYSES AND TESTS REGARDING SEEDS AND PLANTS, SO AS TO DELETE REDUNDANT PROVISIONS, TO PROVIDE THAT DEPARTMENT OF AGRICULTURE OFFICIALS SHALL HAVE ACCESS TO SEED RECORDS AND SAMPLES, TO PROVIDE THAT SEED RECORDS SHALL BE MAINTAINED FOR TWO YEARS, AND TO CLARIFY WHO IS ENTITLED TO FREE SEED TESTING AT THE STATE SEED LABORATORY; TO AMEND ARTICLE 7, CHAPTER 21, TITLE 46, RELATING TO WITHDRAWAL, CONFISCATION, AND SALE OF SEEDS REGARDING SEEDS AND PLANTS, SO AS TO INCREASE PENALTIES FOR VIOLATIONS FROM A MAXIMUM OF ONE HUNDRED DOLLARS FOR EACH VIOLATION TO ONE THOUSAND DOLLARS FOR EACH VIOLATION, TO CLARIFY THE ROLE OF THE ATTORNEY GENERAL IN PROSECUTING VIOLATIONS, AND TO PROVIDE FOR INJUNCTIVE RELIEF TO PREVENT VIOLATIONS; TO AMEND ARTICLE 9, CHAPTER 21, TITLE 46, RELATING TO SEED AND PLANT CERTIFICATION, SO AS TO CLARIFY CLEMSON UNIVERSITY'S SEED AND PLANT CERTIFICATION AUTHORITY; AND TO REPEAL ARTICLE 11, CHAPTER 21, TITLE 46 RELATING TO SEED IRISH POTATOES IN CHARLESTON COUNTY. - ratified title

<b>04/23/09</b>	<b>House</b>	<b>Introduced and read first time HJ-276</b>
<b>04/23/09</b>	<b>House</b>	<b>Referred to Committee on Agriculture, Natural Resources and Environmental Affairs HJ-276</b>
<b>01/20/10</b>	<b>House</b>	<b>Member(s) request name removed as sponsor: Forrester</b>
<b>02/04/10</b>	<b>House</b>	<b>Committee report: Favorable Agriculture, Natural Resources and Environmental Affairs HJ-12</b>
<b>02/24/10</b>	<b>House</b>	<b>Member(s) request name added as sponsor: Loftis</b>
<b>02/25/10</b>	<b>House</b>	<b>Member(s) request name added as sponsor: Bales</b>
<b>02/25/10</b>	<b>House</b>	<b>Read second time HJ-50</b>
<b>02/25/10</b>	<b>House</b>	<b>Unanimous consent for third reading on next legislative day HJ-52</b>
<b>02/26/10</b>	<b>House</b>	<b>Read third time and sent to Senate HJ-3</b>
<b>03/02/10</b>	<b>Senate</b>	<b>Introduced and read first time SJ-16</b>
<b>03/02/10</b>	<b>Senate</b>	<b>Referred to Committee on Agriculture and Natural Resources SJ-16</b>
<b>04/15/10</b>	<b>Senate</b>	<b>Committee report: Favorable with amendment Agriculture and Natural Resources SJ-8</b>
<b>05/05/10</b>	<b>Senate</b>	<b>Committee Amendment Adopted SJ-21</b>
<b>05/06/10</b>	<b>Senate</b>	<b>Amended SJ-21</b>
<b>05/06/10</b>	<b>Senate</b>	<b>Read second time SJ-15</b>
<b>05/12/10</b>	<b>Senate</b>	<b>Amended SJ-16</b>
<b>05/12/10</b>	<b>Senate</b>	<b>Read third time and returned to House with amendments SJ-16</b>
<b>05/20/10</b>	<b>House</b>	<b>Concurred in Senate amendment and enrolled HJ-43</b>
<b>05/20/10</b>	<b>House</b>	<b>Roll call Yeas-93 Nays-0 HJ-43</b>
<b>06/01/10</b>		<b>Ratified R 275</b>
<b>06/08/10</b>		<b>Became law without Governor's signature</b>
<b>06/28/10</b>		<b>Effective date See Act for Effective Date</b>
<b>07/06/10</b>		<b>Act No. 238</b>