



Senate Fiscal Agency
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BILL ANALYSIS

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Senate Bill 777 (as introduced 9-27-05)
Sponsor: Senator Gerald Van Woerkom
Committee: Agriculture, Forestry and Tourism

Date Completed: 10-26-05

CONTENT

The bill would amend the Michigan Seed Law to preempt ordinances prohibiting or regulating certain activities with respect to seeds.

Specifically, the bill would prohibit a local unit of government from adopting, maintaining, or enforcing an ordinance that prohibited or regulated the labeling, sale, storage, transportation, distribution, use, or planting of agricultural, vegetable, flower, or forest tree seeds.

Section 15, which prescribes penalties for violations of the Seed Law, would not apply to a violation of the bill.

The bill also would repeal Section 16, which repealed Public Act 314 of 1923.

(Section 15 contains the following provisions:

- A person who violates the Seed Law is guilty of a misdemeanor punishable by a fine of between \$100 and \$2,000 for each offense, or by imprisonment for up to 90 days.
- The Director of the Department of Agriculture may issue and enforce a stop sale order to the owner or custodian of any lot of seed found to be in violation of the Law.
- Any lot of seed not in compliance with the Law is subject to seizure on a complaint of the Director, and if found to be in violation, must be denatured, destroyed, relabeled, or otherwise disposed of.
- The Director may apply for a temporary or permanent injunction restraining a person from violating the Law.)

MCL 286.701

Legislative Analyst: Curtis Walker

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: Craig Thiel

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.