

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

FILED SENATE
Mar 26, 2013
S.B. 455
PRINCIPAL CLERK

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SENATE DRS85108-MH-67A* (2/28)

Short Title: Increased Penalty/Seed Law Violations.-AB (Public)

Sponsors: Senators Cook, Rabin, and Barefoot (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO INCREASE PENALTIES FOR VIOLATION OF THE SEED LAW.

3 The General Assembly of North Carolina enacts:

4 **SECTION 1.** G.S. 106-277.24 reads as rewritten:

5 "**§ 106-277.24. Penalty for violations.**

6 Any person, firm or corporation violating any provision of this Article or any rule or
7 regulation adopted pursuant thereto shall be guilty of a Class 3 misdemeanor and upon
8 conviction thereof shall only pay a fine of not more than ~~five hundred dollars (\$500.00)~~ ten
9 thousand dollars (\$10,000). In determining the amount of the fine, the court shall consider the
10 retail value of the seed sold in violation of the law, and in cases involving the unlawful sale of
11 seed protected under the federal Plant Variety Protection Act, the court shall order the payment
12 of restitution to any injured party for any losses incurred as a result of the unlawful sale. The
13 court may also order the Commissioner to suspend the violator's seed license as set forth in
14 G.S. 106-277.19 for up to three years, except that the right of appeal to superior court provided
15 by G.S. 106-277.19 shall not be available. However, violators shall have the ordinary right of
16 appeal from judgments of the district and superior courts as provided by law."

17 **SECTION 2.** This act becomes effective December 1, 2013, and applies to
18 violations committed on or after that date.



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