

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2013

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HOUSE BILL 369\*  
Committee Substitute Favorable 4/9/13

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

(Public)

Sponsors:

Referred to:

March 21, 2013

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.(a) G.S. 106-277.19 reads as rewritten:  
5 "§ 106-277.19. ~~Revocation~~ Revocation, suspension, or refusal of license for cause;  
6 hearing; appeal.

7 In accordance with Chapter 150B of the General Statutes, the Commissioner is  
8 authorized to suspend any seed license issued for a period not to exceed three years, revoke any  
9 seed license issued, or to refuse to issue a seed license to any person as hereinafter provided,  
10 upon satisfactory proof that said person has repeatedly violated any of the provisions of this  
11 Article or any of the rules and regulations made and promulgated adopted  
12 thereunder, thereunder; provided that no license shall be revoked or refused until the person  
13 shall have first been given an opportunity to appear at a hearing before the Commissioner. Any  
14 person who is refused a license, or whose license is revoked by any order of the Commissioner,  
15 may appeal within 30 days from said order to the Superior Court of Wake County or the  
16 superior court of the county of his residence."

17 SECTION 1.(b) G.S. 106-277.24 reads as rewritten:  
18 "§ 106-277.24. **Penalty for violations.**

19 Any person, firm or corporation violating any provision of this Article or any rule or  
20 regulation adopted pursuant thereto shall be guilty of a Class 3 misdemeanor and upon  
21 conviction thereof shall ~~only~~ pay a fine of not more than ~~five hundred dollars (\$500.00)~~ ten  
22 thousand dollars (\$10,000). In determining the amount of the fine, the court shall consider the  
23 retail value of the seed sold in violation of the law, and in cases involving the unlawful sale of  
24 seed protected under the federal Plant Variety Protection Act, the court shall order the payment  
25 of restitution to any injured party for any losses incurred as a result of the unlawful sale."

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



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