

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005

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SENATE BILL 631

Short Title: Amend Plant Pest Law.-AB (Public)

Sponsors: Senator Albertson.

Referred to: Agriculture/Environment/Natural Resources.

March 17, 2005

1 A BILL TO BE ENTITLED
2 AN ACT TO AMEND THE PLANT PEST LAW TO PREEMPT LOCAL
3 REGULATION OF PLANTS AND PLANT PESTS.

4 The General Assembly of North Carolina enacts:

5 SECTION 1. Article 36 of Chapter 106 of the General Statutes is amended
6 by adding a new section to read:

7 "**§ 106-420.2. Local regulation of plants preempted.**

8 No county, city, or other political subdivision of the State shall adopt or continue in
9 effect any ordinance, rule, regulation, or resolution regulating the use, sale, distribution,
10 storage, transportation, disposal, labeling, registration, or handling of any plant or plant
11 pest. Nothing in this section shall prohibit a city, county, or other political subdivision
12 of the State from exercising its planning and zoning authority under Article 19 of
13 Chapter 160A of the General Statutes or Article 18 of Chapter 153A of the General
14 Statutes, or from exercising its fire prevention or inspection authority."

15 SECTION 2. This act is effective when it becomes law.