

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

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HOUSE BILL 369*

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

Sponsors: Representatives Waddell, Brody, Langdon, and Dixon (Primary Sponsors).
For a complete list of Sponsors, refer to the North Carolina General Assembly Web Site.

Referred to: Agriculture, if favorable, Judiciary Subcommittee B.

March 21, 2013

A BILL TO BE ENTITLED

AN ACT TO INCREASE PENALTIES FOR VIOLATION OF THE SEED LAW.

The General Assembly of North Carolina enacts:

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

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

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

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

