

# House Bill 3192

Sponsored by Representative ESQUIVEL

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Makes legislative finding and declaration that regulation of agricultural seed, flower seed and vegetable seed and products of agricultural seed, flower seed and vegetable seed be reserved to state. Prohibits enactment or enforcement of local measures to regulate agricultural seed, flower seed and vegetable seed or products of agricultural seed, flower seed and vegetable seed.

## A BILL FOR AN ACT

1  
2 Relating to the preemption of local laws regulating agriculture.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. Sections 2 and 3 of this 2013 Act are added to and made a part of ORS 633.511**  
5 **to 633.750.**

6 **SECTION 2. The Legislative Assembly finds and declares that:**

7 (1) **The production and use of agricultural seed, flower seed and vegetable seed and pro-**  
8 **ducts of agricultural seed, flower seed and vegetable seed are of substantial economic benefit**  
9 **to this state;**

10 (2) **The economic benefits resulting from agricultural seed, flower seed and vegetable**  
11 **seed and seed product industries in this state make the protection, preservation and pro-**  
12 **motion of those industries a matter of statewide interest that warrants reserving exclusive**  
13 **regulatory power over agricultural seed, flower seed and vegetable seed and products of ag-**  
14 **ricultural seed, flower seed and vegetable seed to the state; and**

15 (3) **The agricultural seed, flower seed and vegetable seed and seed product industries in**  
16 **this state will be adversely affected if those industries are subject to a patchwork of local**  
17 **regulations.**

18 **SECTION 3. (1) As used in this section, "local government" has the meaning given that**  
19 **term in ORS 174.116.**

20 (2) **Except as provided in subsection (3) of this section, a local government may not enact**  
21 **or enforce a measure, including but not limited to, an ordinance, regulation, control area or**  
22 **quarantine, to inhibit or prevent the production or use of agricultural seed, flower seed or**  
23 **vegetable seed or products of agricultural seed, flower seed or vegetable seed. The prohibition**  
24 **imposed by this subsection includes, but is not limited to, any measures for regulating the**  
25 **display, distribution, growing, harvesting, labeling, marketing, mixing, notification of use,**  
26 **planting, possession, processing, registration, storage, transportation or use of agricultural**  
27 **seed, flower seed or vegetable seed or products of agricultural seed, flower seed or vegetable**  
28 **seed.**

29 (3) **Subsection (2) of this section does not prohibit a local government from enacting or**  
30 **enforcing a measure to inhibit or prevent the production or use of agricultural seed, flower**

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 **seed or vegetable seed or products of agricultural seed, flower seed or vegetable seed on**  
2 **property owned by the local government.**

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