

**PROPOSED AMENDMENTS TO  
SENATE BILL 633**

1 On page 1 of the printed bill, line 2, after “agriculture” insert “; and de-  
2 claring an emergency”.

3 Delete lines 4 through 30 and delete page 2 and insert:

4 **“SECTION 1. (1) As used in this section:**

5 **“(a) ‘Agricultural crop’ means a commodity of a type subject to**  
6 **regulation by the State Department of Agriculture and commonly**  
7 **marketed commercially.**

8 **“(b) ‘Genetically engineered’ means:**

9 **“(A) Altering a life form at the molecular or cellular level by means**  
10 **that are not possible under natural conditions or processes, except**  
11 **means consisting exclusively of breeding, conjugation, fermentation,**  
12 **hybridization, in vitro fertilization, tissue culture or mutagenesis; or**

13 **“(B) Producing a life form through sexual or asexual reproduction**  
14 **involving an initial life form described in subparagraph (A) of this**  
15 **paragraph, if the life form produced possesses any of the altered mo-**  
16 **lecular or cellular characteristics of the initial life form.**

17 **“(c) ‘Growing’ means physical activities intended to benefit the**  
18 **production of an agricultural commodity, commencing with the**  
19 **placement of seeds, bulbs, tubers or seedlings in the ground or another**  
20 **growing medium and ending with the harvesting of the mature plant.**

21 **“(2) Except as provided in this subsection, a local government may**  
22 **not adopt or enforce a local law to regulate an agricultural practice**

1 involving genetically engineered organisms. A local government may  
2 adopt or enforce a local law to regulate an agricultural practice in-  
3 volving genetically engineered organisms if the law results from suf-  
4 ficient signatures having been gathered on or before January 31, 2013,  
5 to place a proposed law on the local ballot and the local electorate  
6 having approved the proposed law at the next following primary or  
7 general election.

8 “(3) Notwithstanding any local laws favoring or disfavoring agri-  
9 cultural practices that use genetically engineered organisms, a person  
10 may engage in growing a genetically engineered agricultural crop to  
11 the extent set forth in a production authorization issued to the person  
12 by the State Department of Agriculture. Except as provided in this  
13 subsection, the department may issue a production authorization only  
14 if the person applies to the department for the authorization and  
15 submits proof that within 12 months prior to the application the per-  
16 son engaged in growing a genetically engineered agricultural crop at  
17 a location and submits proof of the quantity of the commodity that  
18 was grown by the person. If the department determines that the per-  
19 son has submitted acceptable proof under this subsection, the depart-  
20 ment shall issue the person a production authorization for continuing  
21 to grow a like quantity of the genetically engineered agricultural crop  
22 at the same location in the future. The department may allow a pro-  
23 duction authorization to be transferred to an heir of the person or to  
24 a purchaser or lessee of the agricultural crop location.

25 “(4) The department shall process any complaints alleging that a  
26 person is engaged in the unauthorized growing of a genetically engi-  
27 neered agricultural crop. If the department investigates a complaint  
28 and determines that a person is engaged in the unauthorized growing  
29 of a genetically engineered agricultural crop, the department shall  
30 order the person to destroy the genetically engineered agricultural

1 crop within 30 days. The department may assess a civil penalty, not  
2 to exceed \$10,000, against a person who fails to timely obey an order  
3 from the department issued under this subsection.

4 **“SECTION 2. (1) No later than 60 days after the effective date of**  
5 **this 2013 Act, the State Department of Agriculture shall begin accept-**  
6 **ing applications and submissions of proof under section 1 (3) of this**  
7 **2013 Act.**

8 **“(2) Notwithstanding section 1 (4) of this 2013 Act, the department**  
9 **may not issue an order or assess a civil penalty:**

10 **“(a) Against a person prior to 180 days after the effective date of**  
11 **this 2013 Act; or**

12 **“(b) Against a person who submitted an application and proof to the**  
13 **department under section 1 (3) of this 2013 Act for the agricultural**  
14 **crop no later than 120 days after the effective date of this 2013 Act if**  
15 **the decision whether to issue the person a production authorization**  
16 **for the agricultural crop is pending before the department.**

17 **“SECTION 3. Sections 1 and 2 of this 2013 Act are repealed January**  
18 **2, 2016.**

19 **“SECTION 4. This 2013 Act being necessary for the immediate**  
20 **preservation of the public peace, health and safety, an emergency is**  
21 **declared to exist, and this 2013 Act takes effect on its passage.”.**

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