

FIRST REGULAR SESSION

HOUSE BILL NO. 457

92ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES SHOEMYER (9),
WHORTON (Co-sponsors) AND SCHLOTTACH.

Read 1st time February 12, 2003, and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

0480L.021

AN ACT

To amend chapter 266, RSMo, by adding thereto one new section relating to the seed availability and competition act.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 266, RSMo, is amended by adding thereto one new section, to be
2 known as section 266.141, to read as follows:

**266.141. 1. This section shall be known and may be cited as the "Missouri Seed
2 Availability and Competition Act".**

**3 2. Any farmer who plants patented seed and seeks to retain seed from the harvest
4 of such planting for replanting on the farmer's property the following planting season shall
5 register with the department of agriculture. Such farmer shall provide the department
6 with the number of bushels of seed to be retained and pay a seven-dollar per bushel fee for
7 the retention of such seed. Six dollars of the seven-dollar fee shall be collected by the
8 department and paid on a quarterly basis to the person or persons holding the patent for
9 the seed. One dollar of the seven-dollar fee may be used by the department for
10 administrative costs associated with the registration of such seed. Any portion of the one-
11 dollar fee not used by the department for administrative costs shall be deposited into a
12 subaccount of the genetically engineered seed fund established in subsection 3 of this
13 section and shall be subject to appropriation to the University of Missouri for agricultural
14 research and development.**

**15 3. There is hereby created in the state treasury the "Genetically Engineered Seed
16 Fund", which shall consist of fees collected pursuant to this section. The fund shall be
17 administered by the department of agriculture and all moneys in the fund shall be
18 distributed by the department of agriculture in accordance with this section.**

19 **Notwithstanding the provisions of section 33.080, RSMo, to the contrary, any moneys**
20 **remaining in the fund at the end of the biennium shall not revert to the credit of the**
21 **general revenue fund.**

22 **4. A farmer who plants such seed shall only be liable for any health, safety, and**
23 **environmental impacts if such farmer intentionally or negligently fails to substantially**
24 **follow the patent holder's and manufacturer's instructions and guidelines for planting such**
25 **seed.**