



Jeff Grim

*Bill Analysis*  
*Legislative Service Commission*

## **S.B. 135**

127th General Assembly  
(As Introduced)

**Sens. Amstutz, Carey, Gardner, Schaffer, Schuler, Schuring, Spada**

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### **BILL SUMMARY**

- Exempts from license fees a person who is not a nurseryperson, dealer, or collector and who makes no more than \$1,000 in sales of nursery stock during a calendar year rather than no more than \$200 as in current law.
- Exempts from nursery stock inspection and certification a person who is not a nurseryperson, dealer, or collector and who makes no more than \$500 in sales of nursery stock during a calendar year.

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### **CONTENT AND OPERATION**

Current law requires each of the following to pay a specified annual license fee:

- (1) A collector or dealer who sells, offers, or exposes for sale or distributes nursery stock within this state or ships nursery stock to other states;
- (2) A nurseryperson who produces, sells, offers for sale, or distributes woody nursery stock within the state or ships woody stock to other states;
- (3) A nurseryperson who limits production and sales of nursery stock to brambles, herbaceous, perennial, and other nonwoody plants (sec. 927.53, not in the bill).

Existing law establishes several exemptions from the license fees for nurserypersons, dealers, or collectors. One of the exemptions applies to a person who is not a nurseryperson, dealer, or collector and who makes no more than \$200 in sales of nursery stock during a calendar year. The bill increases the sales limit in that exemption to \$1,000 in sales of nursery stock during a calendar year. (Sec. 927.55.)

Under current law, the Director of Agriculture must issue to each nurseryperson, after the stock in that person's nursery has been officially inspected and found to be apparently free from injurious or harmful pests and after payment of the required license fees, an inspection certificate. The certificate is valid for up to one year from January 1 following the filing of the application for inspection. (Sec. 927.61(A).)

Current law prohibits anyone from selling, offering for sale, or removing or shipping from a nursery or other premises any nursery stock unless the stock has been officially inspected and a valid certificate has been issued by the Director (sec. 927.61(B)). The bill states that the prohibition does not apply to a person who is not a nurseryperson, dealer, or collector and who makes no more than \$500 in sales of nursery stock during a calendar year (sec. 927.61(C)).

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## **HISTORY**

<b>ACTION</b>	<b>DATE</b>
Introduced	03-28-07

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