

MAR 12 2003
Agriculture

HOUSE FILE 515
BY KUHN and WHITAKER

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act prohibiting the sale or offer for sale of certain
2 agricultural seed that has been genetically engineered, making
3 penalties applicable, and providing an effective date.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 515

1 Section 1. Section 199.1, Code 2003, is amended by adding
2 the following new subsections:

3 NEW SUBSECTION. 6A. "Genetically engineered" means to
4 alter the genetic characteristics of a plant by modifying the
5 deoxyribonucleic acid of the plant's seed in a manner other
6 than by breeding or pollination.

7 NEW SUBSECTION. 14A. "Patent holder" means a person who
8 holds intellectual property rights in a plant or plant part,
9 including but not limited to a genetically engineered
10 agricultural seed or crop originating from a genetically
11 engineered agricultural seed, which is granted a letters
12 patent by the United States patent and trademark office of the
13 United States department of commerce.

14 NEW SUBSECTION. 19A. "Seed labeler" means a person
15 required to label seed as provided in section 199.3 or 199.4.

16 Sec. 2. Section 199.8, Code 2003, is amended by adding the
17 following new subsection:

18 NEW SUBSECTION. 4. It is unlawful for a person who is a
19 patent holder or seed labeler to provide for the sale or offer
20 for sale of agricultural seed for the end purpose of crop
21 production if the agricultural seed has been genetically
22 engineered to render the agricultural seed or the crop that it
23 produces sterile.

24 Sec. 3. EFFECTIVE DATE. This Act, being deemed of
25 immediate importance, takes effect upon enactment.

26 EXPLANATION

27 This bill amends Code chapter 199, which regulates the sale
28 of seed, including agricultural seed. The bill amends Code
29 section 199.8, which lists a number of illegal activities, by
30 providing that a person who is a patent holder of agricultural
31 seed or a person required under the Code chapter to label
32 agricultural seed is prohibited from selling agricultural seed
33 for crop production if the agricultural seed has been
34 genetically engineered to render the agricultural seed or the
35 crop that it produces sterile. This is sometimes commonly

1 referred to as a "terminator gene".

2 According to Code section 199.13, a person who violates
3 Code section 199.8 is guilty of a simple misdemeanor
4 punishable by confinement for no more than 30 days or a fine
5 of at least \$50 but not more than \$500, or by both.

6 The bill takes effect upon enactment.

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