

MAR 12 2003
Agriculture

HOUSE FILE 518
BY KUHN and WHITAKER

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

A BILL FOR

1 An Act relating to agricultural seed, by prohibiting certain
2 persons from requiring seed to be saved for future planting,
3 making 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 518

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. A person who is a patent holder or
19 seed labeler shall not provide that the sale or offer for sale
20 of agricultural seed for the end purpose of crop production is
21 conditioned upon the purchaser of the agricultural seed
22 relinquishing a right to save a supply of the agricultural
23 seed for planting at any future time. Such provision in a
24 contract or license agreement is void, regardless of whether
25 the provision is contained as part of a label as required in
26 section 199.3 or 199.4 or as part of a separate agreement.

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

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EXPLANATION

30 This bill amends Code chapter 199, which regulates the sale
31 of seed, including agricultural seed. The bill amends Code
32 section 199.8, which lists a number of illegal activities, by
33 providing that a person who is a patent holder of agricultural
34 seed or a person required under the Code chapter to label such
35 seed is prohibited from conditioning the sale or offer for

1 sale of agricultural seed upon the purchaser relinquishing a
2 right to save a supply of the agricultural seed for future
3 planting. The bill provides that a provision in a contract or
4 license agreement providing for such restriction is void.

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

9 The bill takes effect upon enactment.

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