House Bill 293

By: Representatives Ray of the 128th, Floyd of the 138th and Purcell of the 147th

A BILL TO BE ENTITLED
AN ACT

1   To amend Code Section 2-7-55 of the Official Code of Georgia Annotated, relating to

2   registration of pesticides, and Code Section 10-4-115 of the Official Code of Georgia

3   Annotated, relating to licensing of nonauction tobacco dealers and bonds or trust fund

4   agreements related thereto, so as to change the provisions relating to registration with the

5   Commissioner of Agriculture and the provision of certain services and the performance of

6   certain duties by the Commissioner of Agriculture and the Department of Agriculture; to

7   provide for the imposition and establishment of fees; to change the provisions relating to the

8   issuance and expiration of licenses; to change the provisions relating to the surety bond or

9   trust fund agreement required for nonauction tobacco dealers; to repeal conflicting laws; and

10   for other purposes.

11   BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

12   **SECTION 1.**

13   Code Section 2-7-55 of the Official Code of Georgia Annotated, relating to registration of

14   pesticides, is amended by striking subsection (f) and inserting in its place the following:

15   "(f) The applicant desiring to register a pesticide shall pay an annual registration fee ~~of~~

16   ~~$10.00~~ to the Commissioner for each pesticide registered for such applicant. The amount

17   of such fee shall be established by the Commissioner in an amount not to exceed $150.00

18   per annum. All such registrations shall expire on December 31 of any one year, provided

19   that if the Commissioner adopts a multiple-year registration period, the annual registration

20   fee ~~of $10.00~~ per product shall be compounded for the number of years included in the

21   multiple-year registration. A registration for a special local need pursuant to subsection (i)

22   of this Code section which is disapproved by the administrator of the Environmental

23   Protection Agency shall expire on the effective date of the administrator´s disapproval."

1   **SECTION 2.**

2   Code Section 10-4-115 of the Official Code of Georgia Annotated, relating to licensing of

3   nonauction tobacco dealers and bonds or trust fund agreements related thereto, is amended

4   by striking subsections (a) and (b) of said Code section and inserting in their place the

5   following:

6   "(a) Any person, firm, or corporation purchasing flue-cured leaf tobacco from producers

7   other than at auction sales shall be required to apply to and obtain from the Commissioner

8   of Agriculture a nonauction tobacco dealer´s license prior to engaging in such purchase

9   operations. ~~There shall be no charge for such license, which~~ <u>Such license</u> shall be

10   renewable on an annual basis. <u>There shall be an annual fee for each such license issued by</u>

11   <u>the Commissioner. The amount of such fee shall be established by the Commissioner in</u>

12   <u>an amount not to exceed $100.00 per annum.</u> Each applicant for a nonauction tobacco

13   dealer´s license shall indicate in writing to the Commissioner each year before the first

14   auction sale of the tobacco-selling season an intent to buy flue-cured leaf tobaccos from

15   producers other than at auction in order to be eligible for a nonauction tobacco dealer´s

16   license for that selling season.

17   (b) Prior to the issuance or renewal of a nonauction tobacco dealer´s license to an applicant

18   or a licensee, the applicant or licensee shall post with the Commissioner a surety bond or

19   trust fund agreement in the amount of ~~10~~ <u>20</u> percent of the total purchases made by the

20   applicant or licensee of flue-cured leaf tobacco from producers other than at auction during

21   the preceding tobacco-selling season. The bond or trust fund agreement shall guarantee the

22   purchases made by the applicant or licensee from producers other than at auction sales and

23   shall in no instance be less than ~~$5,000.00~~ <u>$20,000.00 nor more than $200,000.00</u>."

24   **SECTION 3.**

25   All laws and parts of laws in conflict with this Act are repealed.