

Senate Bill 390

By: Senator Bulloch of the 11th

AS PASSED SENATE

**A BILL TO BE ENTITLED
AN ACT**

1 To amend Article 3 of Chapter 11 of Title 2 of the Official Code of Georgia Annotated,
2 relating to the certification of seeds and plants, so as to provide immunity from civil liability
3 for the agency designated to provide for seed certification; to repeal conflicting laws; and for
4 other purposes.

5 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

6 **SECTION 1.**

7 Article 3 of Chapter 11 of Title 2 of the Official Code of Georgia Annotated, relating to
8 certification of seeds and plants, is amended by revising Code Section 2-11-52, relating to
9 the designation of an agency for certification of seeds and plants and to liability for damages
10 resulting from certification work, as follows:

11 "2-11-52.

12 In order to execute the policy stated in Code Section 2-11-50, the dean of the College of
13 Agricultural and Environmental Sciences of the University of Georgia is authorized to
14 provide for seed, plant, and variety certification and labeling. The dean shall designate ~~the~~
15 ~~Georgia Crop Improvement Association, Inc.,~~ as a certifying agency, provided that ~~the~~
16 ~~Georgia Crop Improvement Association, Inc.,~~ such designee must be in good standing with
17 the Association of Official Seed Certifying Agencies. The College of Agricultural and
18 Environmental Sciences of the University of Georgia shall not be held responsible for any
19 claim, debt, obligation, or damage of any kind to any person in conducting certification
20 work or in the work of the certifying agent. The certifying agency so designated by the
21 dean shall, along with its employees, be immune from liability to the same extent as the
22 state and state officers and employees under Article 2 of Chapter 21 of Title 50, "The
23 Georgia Tort Claims Act."

24 **SECTION 2.**

25 All laws and parts of laws in conflict with this Act are repealed.