

House Bill 832 (AS PASSED HOUSE AND SENATE)

By: Representative McCall of the 30<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

To amend Code Section 2-14-132.1 of the Official Code of Georgia Annotated, relating to Vidalia onion trademark, royalty, and license fees, so as to eliminate the requirement that the royalty and license fee not exceed a certain amount; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

**SECTION 1.**

Code Section 2-14-132.1 of the Official Code of Georgia Annotated, relating to Vidalia onion trademark, royalty, and license fees, is amended to read as follows:

"2-14-132.1.

The Commissioner of Agriculture is authorized to take all actions necessary and appropriate to create, register, license, promote, and protect a trademark for use on or in connection with the sale or promotion of Vidalia onions and products containing Vidalia onions. The Commissioner is authorized to impose and collect a royalty or license fee for the use of such trademark on products containing Vidalia onions or the packaging containing such onion products. ~~Such royalty and license fee shall not exceed 0.5¢ for each six ounces, or portion thereof, of product in connection with all products with which such trademark is used.~~ Funds derived from such royalties and license fees shall be retained by the Commissioner and shall be used to promote Vidalia onions and to pay costs associated with monitoring the use of such trademark, prohibiting the unlawful or unauthorized use of the trademark, and enforcing rights in the trademark."

**SECTION 2.**

All laws and parts of laws in conflict with this Act are repealed.