

FEB 19 2002  
Agriculture

HOUSE FILE 2437  
BY KUHN and MERTZ

(COMPANION TO LSB 5655SS  
BY FIEGEN)

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 2437

1 Section 1. Section 199.1, Code 2001, 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 2001, 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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