



Senate Fiscal Agency
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BILL



ANALYSIS

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House Bill 4630 (as reported without amendment)
Sponsor: Representative Mike Green
House Committee: Agriculture and Forestry
Senate Committee: Agriculture and Forestry

CONTENT

The bill would amend the seed certification Act to provide limited liability to an official seed certifying agency and its agents or employees and to specify circumstances under which it would be liable for injuries to persons and damage to property.

In addition, the bill would repeal a provision in the Act that requires the Director of the Department of Agriculture, upon recommendation of the Michigan Agricultural Experiment Station and official seed certifying agencies, to publish and make available to the public a list of varieties and hybrids of agricultural or vegetable seeds or plant propagating materials eligible for certification.

Under the bill, a person would not have a cause of action against a designated official seed certifying agency or its agent or employee if the agency, agent, or employee were engaged in duties permitted by the Act, and used written and approved procedures and protocols established by the Director.

A designated official seed certifying agency, or its agent or employee, would be liable for injuries to persons and damage to property under one or more of the following circumstances:

- The agency, agent, or employee failed to follow written procedures and protocols.
- The agency, agent, or employee improperly interpreted laboratory test results even though written procedures and protocols were followed.
- Actions taken by the agency, agent, or employee were not within the scope of the agency's official duties.

MCL 286.73

Legislative Analyst: L. Arasim

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Date Completed: 5-4-95

Fiscal Analyst: A. Rich

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.