

Substitute for SENATE BILL No. 255

By Committee on Agriculture

3-20

AN ACT concerning agriculture; relating to fertilizers; amending K.S.A. 2-1201b and repealing the existing section.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 2-1201b is hereby amended to read as follows: 2-1201b. (a) It shall be deemed a violation of ~~this act K.S.A. 2-1201 and 2-1201a, and amendments thereto~~, for any person to sell or distribute in this state any custom blended fertilizer who does not hold a valid license as required by ~~this act K.S.A. 2-1201a, and amendments thereto~~; or to fail to comply with the requirements of K.S.A. 2-1201a ~~hereof, and amendments thereto~~, and the provisions of K.S.A. 2-1208, ~~and amendments thereto~~, except subsection (1) (a), and the penalties as provided therein shall apply.

(b) *Any person or custom blender who violates any provision of article 12 of chapter 2 of the Kansas Statutes Annotated, and amendments thereto, or the rules and regulations adopted, may incur a civil penalty of not more than \$5,000 per violation, and in the case of a continuing violation every day such violation continues may be deemed a separate violation. Such civil penalty may be assessed in addition to any other penalty provided by law. Any civil penalty assessed pursuant to this subsection is subject to review in accordance with the act for judicial review and civil enforcement of agency actions.*

Sec. 2. K.S.A. 2-1201b is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its publication in the statute book.