

By: Representatives Pigott, Bell (21st),  
Carpenter, Foster, Johnson (87th), Staples

To: Agriculture

HOUSE BILL NO. 528

1 AN ACT TO AMEND SECTION 75-47-11, MISSISSIPPI CODE OF 1972,  
2 TO REQUIRE THE ANNUAL REPORTING OF NET TONS OF COMMERCIAL  
3 FERTILIZERS DISTRIBUTED IN THE STATE AND PAYMENT OF INSPECTION  
4 FEES; TO AMEND SECTION 75-47-13, MISSISSIPPI CODE OF 1972, IN  
5 CONFORMITY THERETO; AND FOR RELATED PURPOSES.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

7 **SECTION 1.** Section 75-47-11, Mississippi Code of 1972, is  
8 amended as follows:

9 75-47-11. (1) There shall be paid to the commissioner for  
10 all commercial fertilizers distributed in this state an inspection  
11 fee at the rate of Twenty-five Cents (25¢) per ton, provided that  
12 sales to manufacturers or exchanges between them are hereby  
13 exempted. Fees so collected shall be used for the payment of the  
14 costs, by act of the Legislature, of inspection, sampling and  
15 analysis, and other expenses necessary for the administration of  
16 this chapter. On individual packages of commercial fertilizer  
17 containing ten (10) pounds or less, there shall be paid in lieu of  
18 the annual registration fee of Ten Dollars (\$10.00) per brand and  
19 grade and the Twenty-five Cents (25¢) per ton inspection fee, an



20 annual registration fee and inspection fee of Fifty Dollars  
21 (\$50.00) for each brand and grade sold or distributed. Where a  
22 person sells commercial fertilizer in packages of ten (10) pounds  
23 or less and in packages over ten (10) pounds, this annual  
24 registration and inspection fee of Fifty Dollars (\$50.00) shall  
25 apply only to that portion sold in packages of ten (10) pounds or  
26 less, and that portion sold in packages over ten (10) pounds shall  
27 be subject to the same inspection fee of Twenty-five Cents (25¢)  
28 per ton as provided in this chapter.

29 (2) Every registrant or guarantor who distributes a  
30 commercial fertilizer in this state shall file with the  
31 commissioner, on forms furnished by the commissioner, \* \* \* an  
32 annual statement \* \* \* setting forth the number of net tons of  
33 each commercial fertilizer distributed in this state during \* \* \*  
34 the previous year. The report shall be due on or before the  
35 thirtieth day of the month following the close of \* \* \* the  
36 reporting year. Upon such statement the registrant shall pay the  
37 inspection fee at the rate stated in \* \* \* subsection (1) of this  
38 section.

39 If the tonnage report is not filed and the payment of  
40 inspection fee is not made within thirty (30) days after the end  
41 of the \* \* \* reporting year, a collection fee amounting to ten  
42 percent (10%) of the amount, but in no case less than Ten Dollars  
43 (\$10.00), shall be assessed against the registrant, and the amount



44 of fees due shall constitute a debt and become the basis of a  
45 judgment against the registrant.

46 (3) When more than one (1) person is involved in the  
47 distribution of a commercial fertilizer, the last person who has  
48 the fertilizer registered and who distributes to a nonregistrant,  
49 dealer or consumer, is responsible for reporting the tonnage and  
50 paying the inspection fee.

51 **SECTION 2.** Section 75-47-13, Mississippi Code of 1972, is  
52 amended as follows:

53 75-47-13. All fertilizer registrants transacting,  
54 distributing or selling commercial fertilizer to a nonregistrant  
55 shall file with the commissioner \* \* \* an annual report showing  
56 the county code of the consignee, each grade of commercial  
57 fertilizer, the amounts in tons, the Uniform Fertilizer Tonnage  
58 Reporting System (UFTRS) code, the form in which the fertilizer  
59 was distributed (bag, bulk or liquid) and the use (farm or  
60 nonfarm). This report of tonnage sold shall be reported by one  
61 (1) of the following methods:

62 (a) Submitting a summary report on forms furnished by  
63 the commissioner; or

64 (b) Submitting an electronic disk format or text file  
65 acceptable to the UFTRS. Each reporting method shall be \* \* \* as  
66 set forth in Section 75-47-11(2). No information furnished to the  
67 commissioner under this section shall be disclosed in such a way  
68 as to divulge the methods of operation of any registrant.



69           **SECTION 3.** This act shall take effect and be in force from  
70 and after July 1, 2017.

