

By: Senator(s) Hudson

To: Agriculture

SENATE BILL NO. 2457

1 AN ACT TO AMEND SECTION 69-24-13, MISSISSIPPI CODE OF 1972,
2 TO REQUIRE THE NET TONNAGE OF SOIL OR PLANT AMENDMENTS DISTRIBUTED
3 IN THE STATE TO BE REPORTED ANNUALLY RATHER THAN QUARTERLY; AND
4 FOR RELATED PURPOSES.

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

6 **SECTION 1.** Section 69-24-13, Mississippi Code of 1972, is
7 amended as follows:

8 69-24-13. (1) There shall be paid to the commissioner for
9 all soil or plant amendments distributed in this state an
10 inspection fee of Thirty-five Cents (\$.35) per ton * * *.
11 However, * * * products sold in packages of ten (10) pounds or
12 less or one (1) gallon or less * * * shall be subject to an annual
13 inspection fee of Fifty Dollars (\$50.00) in lieu of the
14 Thirty-five Cents (\$.35) per ton fee. * * * The annual inspection
15 fee shall be paid upon date of registration.

16 (2) Every person who distributes a soil or plant amendment
17 in the state shall file with the commissioner, on forms furnished
18 by him, * * * an annual statement setting forth the number of net
19 tons of each soil or plant amendment distributed in the state



20 during * * * the previous year. The * * * statement shall be due
21 within thirty (30) days following * * * the reporting year. * * *
22 The statement shall be accompanied by a payment of the inspection
23 fee at the rate of Thirty-five Cents (\$.35) per ton, except as
24 specified in subsection (1) of this section.

25 (3) When more than one (1) distributor is involved in the
26 distribution of a soil or plant amendment product, the last
27 registrant who distributes to a nonregistrant (dealer or consumer)
28 is responsible for reporting the tonnage and paying the inspection
29 fees unless the reporting and paying of fees has been made by a
30 prior distributor of the soil or plant amendment product. If
31 the * * * statement is not filed or is filed falsely, or the
32 inspection fee is not paid within thirty (30) days following * * *
33 the reporting year, the commissioner and State Chemist may revoke
34 the registration of * * * the products and a penalty of Ten
35 Dollars (\$10.00) per day for each subsequent day shall be assessed
36 against the registrant. The inspection fee and the penalty shall
37 constitute a debt and become the basis for a judgment
38 against * * * the registrant, which may be collected by the
39 commissioner and in any court of competent jurisdiction without
40 prior demand.

41 (4) The * * * statement required by this section shall not
42 be a public record, and it shall be a misdemeanor for any person
43 to divulge any information given in * * * the statement which
44 would reveal the business operations of a person or



45 registrant * * * filing the * * * statement; provided, however,
46 that nothing contained in this subsection shall be construed to
47 prevent or make unlawful the use of information concerning the
48 business operation of any registrant in any action, suit, or
49 proceeding instituted under this chapter, including any civil
50 action for collection of unpaid inspection fees, which action is
51 hereby authorized and which shall be as an action at law in the
52 name of the commissioner.

53 (5) All fees paid to the commissioner for registration,
54 inspection, or penalties for product deficiencies shall be
55 deposited into the General Fund account of the State of
56 Mississippi.

57 **SECTION 2.** This act shall take effect and be in force from
58 and after July 1, 2018.

