

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005

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SENATE DRS75171-RF-8A (3/1)

Short Title: Amend Plant Pest Law.-AB (Public)

Sponsors: Senator Albertson.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO AMEND THE PLANT PEST LAW TO PREEMPT LOCAL
REGULATION OF PLANTS AND PLANT PESTS.

The General Assembly of North Carolina enacts:

SECTION 1. Article 36 of Chapter 106 of the General Statutes is amended
by adding a new section to read:

"§ 106-420.2. Local regulation of plants preempted.

No county, city, or other political subdivision of the State shall adopt or continue in effect any ordinance, rule, regulation, or resolution regulating the use, sale, distribution, storage, transportation, disposal, labeling, registration, or handling of any plant or plant pest. Nothing in this section shall prohibit a city, county, or other political subdivision of the State from exercising its planning and zoning authority under Article 19 of Chapter 160A of the General Statutes or Article 18 of Chapter 153A of the General Statutes, or from exercising its fire prevention or inspection authority."

SECTION 2. This act is effective when it becomes law.