

MICHIGAN SEED LAW (EXCERPT)
Act 329 of 1965

286.714 Prohibition or regulation of labeling, sale, storage, transportation, distribution, use, or planting of certain seeds; ordinances by local government prohibited; exceptions.

Sec. 14.

(1) Except as otherwise provided in this section, a local unit of government shall not adopt, maintain, or enforce an ordinance that prohibits or regulates the labeling, sale, storage, transportation, distribution, use, or planting of agricultural seeds, vegetable seeds, flower seeds, turf grass seeds, or forest tree seeds.

(2) A local unit of government may enact an ordinance prescribing standards different from those contained in this act and rules promulgated under this act and that prohibits or regulates the use or planting of agricultural seeds, vegetable seeds, flower seeds, turf grass seeds, or forest tree seeds under either or both of the following circumstances:

(a) Unreasonable adverse effects on the environment or public health will exist within the local unit of government.

(b) The local unit of government has determined that the activity to be prohibited or regulated within that unit of government has resulted or will result in the violation of other existing state or federal law.

(3) An ordinance enacted pursuant to subsection (2) shall not be enforced by a local unit of government until approved by the commission of agriculture. If the commission of agriculture denies an ordinance enacted pursuant to subsection (2), the commission of agriculture shall provide a detailed explanation of the basis of the denial within 30 days.

(4) Within 60 days after submission to the department of agriculture of a resolution of a local unit of government identifying unreasonable adverse effects on the environment or public health under subsection (2), the department of agriculture shall hold a local public meeting to determine the nature and extent of unreasonable adverse effects on the environment or public health. Within 30 days after the local public meeting, the department of agriculture shall issue a detailed opinion regarding the existence of unreasonable adverse effects on the environment or public health as identified by the resolution of the local unit of government.

(5) Section 15 does not apply to a violation of this section.

(6) This section does not limit the authority of a local unit of government under 1941 PA 359, MCL 247.61 to 247.72.

History: Add. 2006, Act 132, Imd. Eff. May 5, 2006

Compiler's Notes: Former MCL 286.714, which pertained to injunctions, was repealed by Act 455 of 1988, Imd. Eff. Dec. 27, 1988.