1   SB433

2   130037-2

3   By Senator Whatley

4   RFD: Agriculture, Conservation, and Forestry

5   First Read: 21-APR-11

1   SB433

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4   ENROLLED, An Act,

5   To amend Section 2-14-4 of the Code of Alabama 1975,

6   relating to honeybees shipped or moved into this state; to

7   further provide the penalty for violations; to provide for the

8   destruction under certain conditions of hives brought into

9   this state in violation of this section after notice to the

10   owners; to specify that this section does not apply to bees

11   brought into this state pursuant to a compliance agreement

12   with the Department of Agriculture and Industries; and in

13   connection therewith would have as its purpose or effect the

14   requirement of a new or increased expenditure of local funds

15   within the meaning of Amendment 621 of the Constitution of

16   Alabama of 1901, now appearing as Section 111.05 of the

17   Official Recompilation of the Constitution of Alabama of 1901,

18   as amended.

19   BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

20   Section 1. Section 2-14-4 of the Code of Alabama

21   1975, is amended to read as follows:

22   "§2-14-4.

23   "(a) All honeybees shipped or moved into the State

24   of Alabama shall be accompanied by a certificate of

25   inspection, signed by the apiary inspector or other official

1   performing similar duties of the state or country from which

2   shipment is made, certifying that the bees and the combs and

3   hives from which the bees were taken have been inspected by

4   such official and that the bees, their combs, and hives are

5   apparently free from contagious and infectious diseases. The

6   inspection provided for in this section shall be based upon an

7   actual examination of the bees and their combs, and hives,

8   such examination or inspection to be made during brood-rearing

9   and within a period of 60 days preceding the date of shipment.

10   The inspection certificate required under this section shall

11   be attached to each parcel or package of each shipment or

12   movement in a conspicuous place, plainly written. All

13   shipments or movements of honeybees into the State of Alabama

14   shall be in combless packages only, and shipments or movements

15   of honeybees into this state in violation of the requirements

16   of this section shall be unlawful.

17   "(b) It shall also be unlawful to ship or move into,

18   within or out of the state a queen bee or other bees in

19   packages or cages that contain food, any part of which is

20   honey.

21   "(c) Any person moving bees into this state on a

22   comb in violation of this section shall be fined one hundred

23   dollars ($100) per hive. The owner or other person in

24   possession of the hives shall be given notice by the

25   Department of Agriculture and Industries to move the hives

1   within seven days of the notice. If the hives are not moved

2   pursuant to the order of the department, the hives shall be

3   destroyed. Upon conviction of a violation under this

4   subsection, the judge may award a person providing information

5   leading to the conviction a reward to be paid from the fine

6   proceeds in an amount not to exceed one-half of the fines.

7   "(d) This section shall not apply to bees moved into

8   this state pursuant to a compliance agreement with the

9   Department of Agriculture and Industries as provided by rule

10   of the department."

11   Section 2. This act shall become effective on the

12   first day of the third month following its passage and

13   approval by the Governor, or its otherwise becoming law.

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4   President and Presiding Officer of the Senate

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6   Speaker of the House of Representatives

7   SB433
8   Senate 25-MAY-11
9   I hereby certify that the within Act originated in and passed
10 the Senate.
11
12   Patrick Harris
13   Secretary
14

15   _____

16
17 House of Representatives
18 Passed: 02-JUN-11

19   _____

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21 By: Senator Whatley