

**Representative Christopher N. Herrod** proposes the following substitute bill:

**GROWING OF FOOD**

2011 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Christopher N. Herrod**

Senate Sponsor: \_\_\_\_\_

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**LONG TITLE**

**General Description:**

This bill provides that an individual may grow and store food for consumption by the individual and other community members.

**Highlighted Provisions:**

This bill:

▶ provides that an individual may grow food for consumption by the individual and other community members;

▶ unless the food poses a risk to public health, a risk of spreading insect infestation, a risk of spreading agricultural disease, or is unlawfully possessed, prohibits governmental confiscation of food grown for consumption by the grower and other members of the individual's community or food stored in an individual's home or dwelling.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

ENACTS:



26           **4-1-9**, Utah Code Annotated 1953

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28 *Be it enacted by the Legislature of the state of Utah:*

29           Section 1. Section **4-1-9** is enacted to read:

30           **4-1-9. Growing food for personal use.**

31           (1) Except as provided in Subsection (2), an individual in this state may grow food for  
32 consumption by the individual, or other members of the individual's community, if the food is  
33 lawfully possessed and is legal for human consumption.

34           (2) A government entity may not confiscate food grown in accordance with this  
35 section, or food stored in an individual's home or dwelling, that is legal for human consumption  
36 and is lawfully possessed, unless the food poses a risk:

- 37           (a) to public health;
- 38           (b) of spreading insect infestation; or
- 39           (c) of spreading agricultural disease.

# FISCAL NOTE

H.B. 249 1st Sub. (Buff)

SHORT TITLE: **Growing of Food**

SPONSOR: **Herrod, C.**

2011 GENERAL SESSION, STATE OF UTAH

## STATE GOVERNMENT (UCA 36-12-13(2)(b))

Enactment of this bill likely will not materially impact the state budget.

## LOCAL GOVERNMENTS (UCA 36-12-13(2)(c))

Enactment of this bill likely will not result in direct, measurable costs for local governments.

## DIRECT EXPENDITURES BY UTAH RESIDENTS AND BUSINESSES (UCA 36-12-13(2)(d))

Enactment of this bill likely will not result in direct, measurable expenditures by Utah residents or businesses.