

# HB0249S01 compared with HB0249

~~{deleted text}~~ shows text that was in HB0249 but was deleted in HB0249S01.

inserted text shows text that was not in HB0249 but was inserted into HB0249S01.

**DISCLAIMER:** This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will not be completely accurate. Therefore, you need to read the actual bill. This automatically generated document could experience abnormalities caused by: limitations of the compare program; bad input data; the timing of the compare; and other potential causes.

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 ~~{the individual's household}~~ other community members.

#### Highlighted Provisions:

This bill:

- ▶ provides that an individual may grow food for consumption by the individual and ~~{the individual's household}~~

~~→ allows for reasonable restrictions on the growth of food based on the nature of the land on which the food is grown; 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

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governmental confiscation of food grown for consumption by the grower and other members of the ~~{grower's household}~~ 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:

4-1-9, Utah Code Annotated 1953

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

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

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

(1) Except as provided in Subsection (2), an individual in this state may grow food for consumption by the individual, or other ~~{individuals residing in the same household}~~ members of the individual's community, if the food is lawfully possessed and is legal for human consumption.

(2) A government entity may not ~~+~~:

~~— (a) restrict an individual's right under Subsection (1) other than by imposing reasonable restrictions on the growing of food based on the size and character of the land on which the food is grown; and~~

~~— (b) unless the food poses a public health risk,} confiscate food grown in accordance with this section, or food stored in an individual's home or dwelling, that ~~+~~~~

~~— (i) } is legal for human consumption ~~+~~ and ~~+~~~~

~~— (ii) } is lawfully possessed ~~+~~~~

Legislative Review Note

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~~as of 1-26-11 6:12 AM~~

~~Office of Legislative Research and General Counsel~~, unless the food poses a risk:

(a) to public health;

(b) of spreading insect infestation; or

(c) of spreading agricultural disease.