

**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.

**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

▶ unless the food poses a public health risk or is unlawfully possessed, prohibits governmental confiscation of food grown for consumption by the grower and the grower's household 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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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 individuals residing in the same household, if the food  
33 is legal for human consumption.

34 (2) A government entity may not:

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

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

40 (i) is legal for human consumption; and

41 (ii) is lawfully possessed.

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**Legislative Review Note**  
as of 1-26-11 6:12 AM

**Office of Legislative Research and General Counsel**

# FISCAL NOTE

H.B. 249

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 and/or benefits 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.