

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Agriculture & Natural Resources.

SB24-043 be amended as follows:

1 Amend printed bill, page 5, strike line 15 and substitute:

2 **"35-62-104. Inspections - commissioner to enforce - penalties.**

3 (1) (a) THE COMMISSIONER IS RESPONSIBLE FOR ENFORCING THIS ARTICLE
4 62. THE COMMISSIONER OR THE COMMISSIONER'S DESIGNEE SHALL BE
5 GRANTED ACCESS DURING REGULAR BUSINESS HOURS TO BUSINESS
6 PREMISES, FACILITIES, VEHICLES, AND RECORDS PERTINENT TO ACTIVITIES
7 REGULATED UNDER THIS ARTICLE 62.

8 (b) IF THE COMMISSIONER DETERMINES THAT THIS ARTICLE 62 OR
9 THE RULES THAT THE COMMISSIONER ADOPTS PURSUANT TO THIS ARTICLE
10 62 ARE BEING VIOLATED, THE COMMISSIONER OR THE COMMISSIONER'S
11 DESIGNEE MAY CAUSE "STOP SALE NOTICES" TO BE PLACED ON ALL RAW
12 MILK BEING SOLD OR OFFERED FOR SALE IN VIOLATION OF THIS ARTICLE 62
13 OR OF THE RULES. A PERSON SHALL NOT SELL OR OTHERWISE DISPOSE OF
14 ANY RAW MILK FOR WHICH A "STOP SALE NOTICE" HAS BEEN ISSUED UNTIL
15 THE COMMISSIONER OR THE COMMISSIONER'S DESIGNEE CANCELS THE
16 "STOP SALE NOTICE".

17 (c) (I) IF AN AUTHORIZED PERSON FROM THE DEPARTMENT
18 REQUESTS TO INSPECT A PRODUCER'S RAW MILK, IT IS UNLAWFUL FOR THE
19 PRODUCER OR THE PRODUCER'S EMPLOYEE OR AGENT TO REFUSE TO
20 SUBMIT THE RAW MILK FOR INSPECTION OR TO REFUSE TO STOP A VEHICLE
21 FROM TRANSPORTING THE RAW MILK.

22 (II) ANY AUTHORIZED AGENT OF THE DEPARTMENT MAY, WHILE
23 ENFORCING THIS ARTICLE 62, SEIZE AND HOLD AS EVIDENCE ANY
24 CONTAINER OF RAW MILK RECEIVED, PACKED, STORED, DELIVERED FOR
25 SHIPMENT, LOADED, OR IN TRANSIT IN VIOLATION OF THIS ARTICLE 62.

26 (2) THE".

27 Renumber succeeding subsection accordingly.

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