

SENATE BILL No. 117

By Committee on Agriculture and Natural Resources

2-1

1 AN ACT concerning agriculture; relating to noxious weeds; declaration by  
2 county commissioners; amending K.S.A. 2-1314b and repealing the  
3 existing section.  
4

5 *Be it enacted by the Legislature of the State of Kansas:*

6 Section 1. K.S.A. 2-1314b is hereby amended to read as follows: 2-  
7 1314b. (a) The board of county commissioners of any county may declare  
8 the multiflora rose (*Rosa multiflora*) ~~or~~, the bull thistle (*Cirsium vulgare*),  
9 ***the everbearing blackberry (Rubus serissimus)*** ~~or both, the wild~~  
10 ***Himalayan blackberry (Rubus-genera armeniacus)*** to be a noxious weed  
11 within the boundaries of such county. In such event, all of the provisions  
12 of article 13 of chapter 2 of the Kansas Statutes Annotated ~~which, and~~  
13 *amendments thereto, that* pertain to the control and eradication of noxious  
14 weeds shall apply to the control and eradication of the multiflora rose ~~or~~,  
15 the bull thistle, ~~or, both, the wild~~ ***everbearing blackberry or the***  
16 ***Himalayan blackberry*** within any such county.

17 (b) If the board of county commissioners of any county does not  
18 declare the multiflora rose ~~or~~, the bull thistle, ~~or, both, the wild~~  
19 ***everbearing blackberry or the Himalayan blackberry*** to be a noxious  
20 weed within the boundaries of such county, a petition requesting the  
21 secretary of agriculture to declare the multiflora rose ~~or~~, the bull thistle, ~~or,~~  
22 ~~both, the wild~~ ***everbearing blackberry or the Himalayan blackberry*** to be  
23 a noxious weed within the boundaries of such county, signed by not less  
24 than 5% of the qualified electors of the county, may be filed with the  
25 county election officer of the county. Upon receipt of any such petition, the  
26 county election officer shall certify the sufficiency of the petition and  
27 submit it to the secretary of agriculture. Thereupon, the secretary of  
28 agriculture may declare the multiflora rose ~~or~~, the bull thistle, ~~or, both, the~~  
29 ~~wild~~ ***everbearing blackberry or the Himalayan blackberry*** to be a noxious  
30 weed within the boundaries of such county. In such event, all of the  
31 provisions of article 13 of chapter 2 of the Kansas Statutes Annotated  
32 ~~which, and amendments thereto, that~~ pertain to the control and eradication  
33 of noxious weeds shall apply to the control and eradication of the  
34 multiflora rose ~~or~~, the bull thistle, ~~or, both, the wild~~ ***everbearing***  
35 ***blackberry or the Himalayan blackberry*** within any such county.

36 Sec. 2. K.S.A. 2-1314b is hereby repealed.

1       Sec. 3. This act shall take effect and be in force from and after its  
2       publication in the statute book.