

Amendment No. 274

Senate Amendment to Senate Bill No. 407	(BDR 49-1085)
Proposed by: Senate Committee on Natural Resources	
Amends: Summary: No Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes	

Adoption of this amendment will MAINTAIN the 2/3s majority vote requirement for final passage of S.B. 407 (§ 1).

ASSEMBLY ACTION			Initial and Date	SENATE ACTION			Initial and Date		
Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____	Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____
Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____
Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) variations of green bold underlining is language proposed to be added in this amendment; (3) ~~red-strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill proposed to be retained in this amendment.

VDW/KCR



Date: 4/17/2021

S.B. No. 407—Enacts provisions relating to apiaries. (BDR 49-1085)



SENATE BILL NO. 407—COMMITTEE ON FINANCE

(ON BEHALF OF THE OFFICE OF FINANCE
IN THE OFFICE OF THE GOVERNOR)

APRIL 5, 2021

Referred to Committee on Natural Resources

SUMMARY—Enacts provisions relating to apiaries. (BDR 49-1085)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Yes.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets [omitted material] is material to be omitted.

AN ACT relating to beekeeping; requiring the State Department of Agriculture to adopt regulations that require certain persons to register apiaries; requiring such persons to pay an annual registration fee; exempting hobbyist beekeepers from paying the annual registration fee; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law provides that the State Department of Agriculture has control of all matters pertaining to the apiary industry in this State and authorizes the Department to adopt regulations to carry out the provisions that govern bees and apiaries. Existing law authorizes the Director of the Department to impose a civil penalty of not more than \$500 for each violation of the provisions that govern bees and apiaries. (NRS 552.095)

Existing law authorizes the Department to order the inspection of any or all apiaries and all buildings used in connection with those apiaries to ensure that an apiary is not infected with any disease, or that any honey, honeycombs or beeswax in an apiary is not exposed to robber bees. (NRS 552.160) Existing law provides that inspectors have access to all apiaries, appliances, structures and premises where bees or their products are kept in order to enforce the provisions that govern bees and apiaries. (NRS 552.180) Existing law further provides that if a person requests such inspections, the person must pay a reasonable fee for the inspection, which existing regulations establish to be \$20 for each hour of inspection and 40 cents per mile to the site of inspection. (NRS 552.215; NAC 552.060)

Existing law authorizes the Department, if the demand for pollination service is found by the Department to warrant such action, to: (1) establish standards of bee colony strength; (2) appoint inspectors to determine bee colony strength; (3) certify hives of bees used in commercial pollination on the basis of colony strength; and (4) establish reasonable fees to cover the cost of such inspections and certifications. (NRS 552.205) Additionally, existing law provides the type of hives that bees may be kept in. (NRS 552.230) Finally, existing law prohibits any person from concealing the fact that any disease exists among the person's bees. (NRS 552.240)

To carry out these various tasks and duties and to enforce existing provisions, this bill requires the Department to adopt regulations pursuant to which a person is required to register apiaries. This bill exempts a person from the registration requirement if: (1) the person obtains

certification as an actual producer of certain farm products; and (2) the certification includes the registration of all apiary locations under the control of the person. Additionally, this bill requires a person who is required to register his or her apiary to pay an annual registration fee that is established by the Department in regulation. This bill prohibits the Department from imposing the annual registration fee on a hobbyist beekeeper and defines the term “hobbyist beekeeper” to mean a person who has not more than 10 apiaries under his or her possession or control.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Chapter 552 of NRS is hereby amended by adding thereto a new section to read as follows:

1. Except as otherwise provided in subsection 2, the Department shall adopt regulations pursuant to which a person must register apiaries.

2. A person is not required to register an apiary pursuant to this section if the person:

(a) Obtains certification pursuant to NRS 576.128; and

(b) Such certification includes, without limitation, the registration of all apiary locations under the control of the person.

3. ~~Each~~ Except as otherwise provided in this subsection, each person who is required to register an apiary pursuant to this section shall pay an annual registration fee as prescribed by the Department in regulation. The Department shall not impose the annual registration fee on a person who is a hobbyist beekeeper.

4. As used in this section, “hobbyist beekeeper” means a person who has not more than 10 apiaries under his or her possession or control.

Sec. 2. Notwithstanding the provisions of NRS 218D.430 and 218D.435, a committee, other than the Assembly Standing Committee on Ways and Means and the Senate Standing Committee on Finance, may vote on this act before the expiration of the period prescribed for the return of a fiscal note in NRS 218D.475. This section applies retroactively from and after March 22, 2021.

Sec. 3. This act becomes effective upon passage and approval.