

16101268D

SENATE BILL NO. 123

Offered January 13, 2016

Prefiled December 28, 2015

A BILL to amend and reenact § 3.2-3617 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 60 of Title 3.2 an article numbered 5, consisting of a section numbered 3.2-6043, relating to the sale of cattle; newborn calves; penalty.

Patron—Stanley

Referred to Committee on Agriculture, Conservation and Natural Resources

Be it enacted by the General Assembly of Virginia:

1. That § 3.2-3617 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding in Chapter 60 of Title 3.2 an article numbered 5, consisting of a section numbered 3.2-6043, as follows:

§ 3.2-3617. Fund established; disposition of fees, assessments, and penalties.

A. There is hereby created in the state treasury a special nonreverting fund to be known as the Feed, Lime, Fertilizer, and Animal Remedies Fund, hereafter referred to in this section as "the Fund." The Fund shall be established on the books of the Comptroller. Except as otherwise specified, moneys levied and collected pursuant to this chapter and, pursuant to Chapters 37, 48, and 49, and pursuant to § 3.2-6043 shall be paid into the state treasury and credited to the Fund. Interest earned on moneys in the Fund shall remain in the Fund and be credited to it. Any moneys remaining in the Fund, including interest thereon, at the end of each fiscal year shall not revert to the general fund but shall remain in the Fund. Moneys in the Fund shall be used solely for the purposes set forth in this chapter.

B. All fees, assessments and penalties, including funds transferred from the Fund for the Sale of Substandard Fertilizer pursuant to § 3.2-3616, received by the Commissioner under this chapter shall be paid into the Feed, Lime, Fertilizer, and Animal Remedies Fund, to the credit of the Department, to be used in carrying out the purpose and provisions of this chapter, to include inspection, sampling and other expenses; except that the Commissioner shall deposit, to the credit of the Virginia Agricultural Foundation Fund established pursuant to § 3.2-2905, five cents (\$0.05) of the inspection fee per ton of regulated product.

Article 5.**Sale of Cattle.****§ 3.2-6043. Sale of newborn calves.**

Any seller of a newborn cow calf shall certify on a form provided by the Commissioner that the calf received at least four quarts of colostrum during the six hours following its birth. Any seller who violates this section may be assessed a civil penalty by the Board in an amount not to exceed \$50 per violation. All amounts paid as penalties for violations of this section under shall be paid into the Feed, Lime, Fertilizer, and Animal Remedies Fund, established in § 3.2-3617, to be used in carrying out the provisions of this chapter.

INTRODUCED

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