

State Statutes pertaining to GE Plants and Plants Pests

State	Citation	Year Promulgated or Amended	Category	Summary
Alaska	Alaska Stat. § 17.06.010 (2007)	2007	Labeling	<b>Labeling.</b> Allows use of <i>Bacillus thuringensis</i> and other natural pesticides in foods marketed as organic.
Arizona	Ariz. Rev. Stat. Ann. § 3-243 (2007)	2007	Seed Regulation	<b>Regulation.</b> Preempts any seed labeling regulations by county, city, town, or other political subdivision of the state.
Arkansas	ACA 2-15-201 thru 2-15-208	2005	Regulation	<b>Regulation.</b> Prohibits a person from introducing, selling, planting, producing, harvesting, transporting, storing, processing, or otherwise handling rice identified as having characteristics of commercial impact, except in compliance with the State Dept of Ag
California	Cal. Food & Agricultural Code §§ 491 to 492 (2007)	2007	State Oversight	<b>State Oversight.</b> Legislative findings that with the burgeoning field of biotechnology comes a need for the public to be informed about the benefits and potential risks of the technology. Establishes the Food Biotechnology Task Force
California	Cal. Food & Agricultural Code § 2272 (2007)	2007	State Oversight	<b>State Oversight.</b> Allows for the County Agricultural Commissioner to include supplemental information on biotechnology in the annual report of the condition of agriculture.
California	Cal. Food & Agricultural Code § 52300 to 52306 (2007)	2007	State Oversight	<b>State Oversight.</b> Legislature to clarify the role and responsibility of the Department of Food and Agriculture in the oversight of regulated agricultural biotechnology.
California	AB 541			
Florida	Fla. Stat. § 581.083 to 211 (2007)	2007	Regulation	<b>Regulation.</b> Requires a permit for the release of exotic organisms, which include genetically modified organisms.
Georgia	Ga. Code § 2-11-35	2005	Seed Regulation	<b>Regulation.</b> Prohibits municipal and other local governments from regulating the labeling, packaging, sale, storage, transportation, distribution, notification of use, or use of seeds.
Hawaii	Hawaii Rev. Stat. § 321-11.6 (2005)	2005	Regulation	<b>Regulation.</b> Requires any applicant to a federal agency for a permit or approval of a bioproduct, field testing of genetically modified organisms or environmental impact assessment of genetically modified organisms to submit one copy of that application to the department, at the same time that the application is submitted to the federal agency
Idaho	Idaho Code § 22-2016 (2007)	2007	Regulation	<b>Regulation.</b> Requires a permit for the shipment or introduction into, or the release within the state of any plant pest, biocontrol agent, or genetically engineered plant or plant pest, or any other organism which may directly or indirectly affect the plant life of this state as an injurious pest, parasite or predator of other organisms, or any arthropod, unless the release is exempted by rule
Idaho	Idaho Code § 22-413 (2007)	2007	Seed Regulation	<b>Regulation.</b> Any local laws regulating seed use, labeling, and planting are preempted by state law.
Illinois	Ill. Rev. Stat. ch. 430 §§ 95/0.01 to 11 (2007)	2007	Regulation	<b>Regulation.</b> Requires designated state departments to oversee the release of genetically engineered organisms and coordinate with federal agencies that grant permits for the releases.
Indiana	Ind. Code § 15-4-1-16 (2007)	2007	Seed Regulation	<b>Regulation.</b> The state has sole authority over the regulation of seeds. Political subdivisions of the state must petition and be granted special permission to regulate in this area.
Iowa	Iowa Code § 199.13A (2007)	2007	Seed Regulation	<b>Regulation.</b> The state has the sole authority to regulate seeds. Regulations that are generally applicable to all commercial activity are excepted.
Kansas	Kan. Stat. Ann. § 2-1450 (2007)	2007	Seed Regulation	<b>Regulation.</b> Sole jurisdiction of seed law is in the state government. Any local laws or regulations in this area are invalid.
Maine	Maine Rev. Stat. Ann. tit. 7 §§ 1051 & 1052 (2007)	2007	Definitions	<b>Definition.</b> Defines "cross-contamination", "genetically engineered" and "seed dealer." A manufacturer of genetically-engineered plants, planting stock or seeds that present a risk of cross-contamination and are sold or distributed in the State is subject to the provisions of this subchapter.
Maine	Maine Rev. Stat. Ann. tit. 7 § 530-A (2007)	2007	Labeling	<b>Labeling.</b> Provides voluntary guidelines that allow foods that contain one percent or less genetically engineered ingredients to designate themselves as free of genetic engineering or bioengineering
Michigan	Mich. Comp. Laws §§ 286.905 to 907 (2007)	2007	Labeling	<b>Labeling.</b> Biotechnology products and procedures cannot be used in products labeled as organic.
Michigan	Mich. Comp. Laws § 287.712 (2007)	2007	Regulation	<b>Regulation.</b> Allows the state to quarantine animals, equipment, vehicles, structures, premises, or any area in the state to control the spread of a known or suspected infectious, contagious or toxicological disease. Genetically modified variants are included in quarantine, or can be exclusively quarantined
Michigan	Mich. Comp. Laws § 287.731 (2007)	2007	Regulation	<b>Regulation.</b> Forbids the importation of genetically-engineered organisms or species that have the potential to endanger the health and safety of humans, crops, livestock, wildlife and property. The importer must receive a waiver from the state to certify that the species does not pose a risk.
Michigan	Mich. Comp. Laws §324.41323 (2007)	2007	State Oversight	<b>State Oversight.</b> Creates an invasive species advisory council, whose duties include preventing the introduction of genetically engineered organisms into the environment.
Michigan	Mich. Comp. Laws §§ 286.905 to 286.907	2001	Definitions	<b>Definition.</b> Provides definitions for purposes of the Michigan Organic Products Act including those related to genetically modified organisms.
Minnesota	Minn. Stat. §§ 18B.01, 285 (2007)	1991	Regulation	<b>Regulation.</b> Requires a state permit to use, distribute, or conduct release experiments with genetically engineered pesticides.
Minnesota	Minn. Stat. §§ 18C.005, 310 (2007)	1991	Regulation	<b>Regulation.</b> Requires a permit for the release of genetically engineered fertilizer, soil amendments, or plant amendments.

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Minnesota	Minn. Stat. §§ 18F.01 to 13 (2007)	1991-1994	Regulation	<b>Regulation.</b> Provides definitions related to the powers and duties of the commissioner pertaining to genetically-engineered agriculturally related organism permits and requires a permit for the release of each genetically engineered agriculturally related organism.
Minnesota	Minn. Stat. §§ 116C.91 to 92 (2007)	1989-2007	State Oversight	<b>State oversight.</b> Creates an advisory committee to advise the Environmental Quality board on biotechnology issues.
Minnesota	Minn. Stat. §§ 116C.94 to 96 (2007)	1989-2007	State Oversight	<b>State oversight.</b> The Environmental Quality board shall adopt rules to require environmental assessment or alternative regulatory oversight for the release of biotechnology.
Mississippi	Miss. Code Ann. § 69-3-1 (2007)	2007	Definitions	<b>Definition.</b> Provides definitions of transgenic seeds, ones which are derived from biotechnology, among other means.
Mississippi	Miss. Code Ann. § 69-47-1 (2007)	2007	Labeling	<b>Labeling.</b> Production techniques that do not include genetic engineering is one of the requirements for a food to be labeled as organic.
Mississippi	Miss. Code Ann. § 79-22-9 (2007)	2007	Regulation	<b>Regulation.</b> Requires a permit to produce aquatic plants or animals which have been genetically modified or are to be genetically modified by means other than breeding and crossbreeding.
Missouri	MO Rev. Statutes §265.525	2007	Regulation	<b>Regulation.</b> prohibits the production, transportation, or handling of certain rice varieties. It requires the Department of Agriculture to prevent the contamination of rice that has not been identified as having characteristics of commercial impact, enforce restrictions on rice with characteristics of commercial impact, encourage research and development of new types of rice
Missouri	Mo. Rev. Stat. § 620.1500 (2007)	2007	State Oversight	<b>State oversight.</b> Creates the Governor's Advisory Council on Agricultural Science and Technology, which advises the governor on science and technology issues in agriculture, including biotechnology
Nebraska	Neb. Rev. Stat. § 2-1079.02 (2007)	2007	Definitions	<b>Definition.</b> Defines "genetically engineered plant organism" to mean an organism altered or produced through genetic modification from a donor, vector, or recipient organism using recombinant deoxyribonucleic acid techniques.
Nebraska	Neb. Rev. Stat. § 2-10,113 to 115 (2007)	2007	Regulation	<b>Regulation.</b> Prohibits any person from importing into Nebraska or distributing within the state any non-indigenous biological control agent or genetically engineered plant organism to be used in the open environment without a permit as set forth in rules and regulations. A permit will not be required under this section if a permit has been issued under the Federal Insecticide, Fungicide, and Rodenticide Act.
New Hampshire	N.H. Rev. Stat. Ann. §§ 79:2 to 3 (2007)	2007	State Support	<b>State Support.</b> Exempts genetically-engineered trees grown for short-rotation fiber from general timber yield taxes. However, property taxes, from which timber crops are exempt, are applicable to genetically-engineered trees
New Jersey	N.J. Rev. Stat. § 47:1A-1.7 (2001)	2001	Regulation	<b>Regulation.</b> Access to biotechnology trade secrets by state and local agencies available only as allowed by federal law
New Jersey	N.J. Stat. § 40:8C-2 (2007)	2007	Regulation	<b>Regulation.</b> Prohibits local governments from regulating biotechnology.
New Mexico	N.M. Stat. Ann. § 25-10-4		Research	<b>Research.</b> Directs the University of New Mexico to conduct biotechnology research to develop faster growing piñon trees suitable to New Mexico's climate.
North Carolina	N.C. Gen. Stat. § 130A-479 (2007)	2007	Regulation	<b>Regulation.</b> Requires registration of biological agents, including genetically modified microorganisms that contain coding for a factor associated with a disease or toxin.
North Dakota	N.D. Cent. Code § 4-24-13 (2007)	2007	Regulation	<b>Regulation.</b> Outlines the methodology to be used for one farmer to determine whether another farmer has committed patent infringement with regards to genetically modified crops.
North Dakota	N.D. Cent. Code § 4-09-02.1 (2007)	2007	Seed Regulation	<b>Regulation.</b> Prohibits local government from regulating seeds, with the exception of general city zoning laws.
Oklahoma	Okla. Stat. tit. 2 §§ 11-35 to 11-42 (2007)	2007	Regulation	<b>Regulation.</b> Requires a permit to maintain, move, and release a genetically modified organism, and gives the Department of Agriculture authority to quarantine or destroy GMOs and inspect facilities to ensure the law is being followed
Oklahoma	Okla. Stat. tit. 2 § 8-26.1 (2007)	2007	Seed Regulation	<b>Regulation.</b> The legislature preempts the entire field of seed regulation, excepting local regulations related to taxation.
Oregon	Or. Rev. Stat. § 561.738 to 740(2007)	2007	Regulation	<b>Regulation.</b> Authorizes the State department of Agriculture and Department of Health to regulate biopharmaceuticals.
Pennsylvania	3 Pa. Cons. Stat. § 7120 (2007)	2007	Regulation	<b>Regulation.</b> Prohibits any political subdivision or home rule municipality from prohibiting or regulate the labeling, sale, distribution or use of seeds, including genetically-modified seed
South Carolina	S.C. Code Ann. § 46-9-15 (2006)	2006	Plant Pests	<b>Plant Pests.</b> Defines genetically-engineered organism for purposes of the state plant pest law.
South Carolina	S.C. Code Ann. § 46-9-40 (2006)	2006	Plant Pests	<b>Plant Pests.</b> Authorizes the State Crop Pest Commission to promulgate regulations to eradicate or prevent the introduction, spread, or dissemination of plant pests, including genetically engineered plant
South Dakota	S.D. Codified Laws Ann. § 38-12A-31 (2006)	2004	Regulation	<b>Regulation.</b> Allows the use of certain federal permits in South Dakota relating to genetically-modified organisms
South Dakota	S.D. Codified Laws Ann. §§ 38-1-44 to 50	2002	Regulation	<b>Regulation.</b> Creates procedures for a transgenic seed patent holder to take samples from a seed user, including permission of the farmer and availability of a court order and protective orders

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Utah	Utah Code Ann. §§ 63-38f-1002 to 1003 (2007)	2007	Regulation	<b>Regulation.</b> A state agency having access under federal law to biotechnology trade secrets and related confidential information shall manage the trade secrets and related confidential records as protected records. A county, city, town, or other political subdivision may not regulate the technological processes relating to the development and use of biotechnologically created materials and organisms. This preemption does not affect the powers of a county, city, town, or other political subdivision, including but not limited to the power to regulate land use, business, industry, construction, and public utilities, to protect the public health or environment, or to provide fire protection and other public safety services.
Vermont	Vt. Stat. Ann. tit. 6 § 1030		Definitions	<b>Definitions.</b> Provides definitions relative to the Pest Survey, Detention, and Management Act, including definitions related to biotechnology and genetically modified organisms.
Vermont	Vt. Stat. Ann. Tit. 6 § 644		Labeling	<b>Labeling.</b> Requires genetic engineering information to be included on seed labels
Vermont	Vt. Stat. Ann. Tit. 6 § 611		Regulation	<b>Regulation.</b> Requires certification and identification of all genetically modified seeds
Virginia	Va. Code § 3.1-275.4 (2007)	2007	Labeling	<b>Labeling.</b> Requires all transgenic seeds sold in Virginia to be labeled as such.
Virginia	Va. Code §§ 2.2-5500 to 5509 (2007)	2007	Regulation	<b>Regulation.</b> Requires public notification and opportunities for public comment on all releases of biotechnology. This regulation preempts all local regulations.
Washington	Wash. Rev. Code §17.24.007 (2007)	2007	Definitions	<b>Definitions.</b> Provides definitions to be used in the regulation of plant, plant product, bee movement and genetically engineered organisms.
Washington	Wash. Rev. Code § 17.24.011 (2007)	2007	Regulation	<b>Regulation.</b> Authorizes the state to make rules regulating the transit of genetically modified organisms to prevent introduction of exotic species into Washington.
Washington	Wash. Rev. Code § 17.24.041 (2007)	2007	Regulation	<b>Regulation.</b> Authorizes the state to quarantine an area of the state, or other states and countries to avoid contamination by genetically engineered organisms.
Washington	Wash. Rev. Code § 17.24.051 (2007)	2007	Regulation	<b>Regulation.</b> Prohibits the introduction of genetically engineered plants without a permit from the state, unless there is a federal permit for the release.
West Virginia	W. Va. Code § 19-12-2 (2007)	2007	Definitions	<b>Definition.</b> Defines genetically modified organism as any organism altered or produced through genetic modification from a donor, vector, or recipient organisms using modern molecular techniques
Wisconsin	Wis. Stat. § 146.60 (2006)	2006	Regulation	<b>Regulation.</b> Requires the notification to the state 7 days prior to the release of genetically engineered organisms into the environment. All Confidential Business Information related to the organism must be included in the release, among other requirements