

HB 653 -- Noxious Weeds

Sponsor: Cauthorn

This bill changes the laws regarding noxious weeds. In its main provisions, the bill:

(1) Specifies that "noxious weed" means any weed designated as noxious by rules established by the Director of the Department of Agriculture and requires the department to maintain a list of noxious weeds and make it available to the public;

(2) Expands the requirement of every landowner to control all noxious weeds growing on his or her land sufficiently to prevent the weeds from going to seed to include any person, association of persons, corporation, partnership, State Highways and Transportation Commission, state department, state agency, county commission, township board, school board, drainage board, governing body of an incorporated city, railroad company or other transportation company, and any person supervising state-owned lands;

(3) Allows an adjoining or aggrieved entity to notify the landowner of the requirements to control noxious weeds by certified mail and allows the landowner 15 days to initiate control of all noxious weeds on his or her land. Currently, only the prosecuting attorney of the county in which the land is located can notify the landowner. If the owner fails to initiate control of the weeds, it will be prima facie evidence of the owner's knowledge that he or she is in violation of the law. Each 15 days the violation continues after the initial 15-day period must be considered a separate offense;

(4) Prohibits the sale of all noxious weed species; and

(5) Repeals provisions designating specific plants as noxious weeds and requiring entities to control the spread of the weeds as well as the provisions regarding a county noxious weed fund.