

BIOPROSPECTING

2010 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Lyle W. Hillyard

House Sponsor: _____

LONG TITLE

General Description:

This bill addresses the removal from their natural environment of certain microorganisms, plants, and fungi, and information concerning the microorganisms, plants, and fungi.

Highlighted Provisions:

This bill:

- ▶ defines "bioprospecting";
- ▶ requires a person engaged in bioprospecting to notify the Utah Geological Survey before removing certain microorganisms, plants, or fungi from the state;
- ▶ requires the Division of Wildlife Resources to create a form that a person engaged in bioprospecting may use to make the required notification; and
- ▶ makes technical changes.

Monies Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

ENACTS:

23-29-101, Utah Code Annotated 1953

23-29-201, Utah Code Annotated 1953



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Be it enacted by the Legislature of the state of Utah:

Section 1. Section **23-29-101** is enacted to read:

CHAPTER 29. UTAH BIOPROSPECTING ACT

Part 1. General Provisions

23-29-101. Title

This chapter is known as the "Utah Bioprospecting Act."

Section 2. Section **23-29-201** is enacted to read:

Part 2. Notification

23-29-201. Notification of bioprospecting.

(1) As used in this chapter, "bioprospecting":

(a) means the removal from a natural environment of naturally occurring microorganisms, plants, and fungi, or information concerning a microorganism's, plant's, or fungus's physical or genetic properties, for research or commercial use; and

(b) does not include horticultural cultivation, except for horticultural genetic engineering conducted in a manner otherwise constituting bioprospecting.

(2) A person engaged in bioprospecting shall notify the division of the bioprospecting before removing a microorganism, plant, or fungus, or information concerning the microorganism's, plant's, or fungus's physical or genetic properties from the state, using a form created in accordance with Subsection (3).

(3) The division shall create a form that allows a person engaged in bioprospecting to make the notification required by Subsection (2).

Legislative Review Note
as of 1-26-10 3:32 PM

Office of Legislative Research and General Counsel

S.B. 51 - Bioprospecting

Fiscal Note

2010 General Session
State of Utah

State Impact

Enactment of this bill will not require additional appropriations.

Individual, Business and/or Local Impact

Enactment of this bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses, or local governments.
