

## 2023 Kansas Statutes

**2-2120. Live plant dealer's license; application fees; renewal; special event live plant dealer, registration; sale of live plants, conditions.** (a) Every live plant dealer, before advertising for sale, selling, offering for sale or delivering any live plants in this state, shall procure from the secretary a live plant dealer's license for each location from which such live plant dealer engages in business as a live plant dealer, except for temporary locations that are registered with the secretary.

(b) Application for such license shall be made on a form furnished by the secretary. The fee for each application shall be fixed by rules and regulations adopted by the secretary, except that such fee shall not exceed \$100, excluding the plant pest emergency fee, authorized pursuant to K.S.A. 2-2129, and amendments thereto.

(c) A live plant dealer who does not export live plants from the state, has annual gross receipts under \$10,000 and has only one location, other than temporary locations, may apply for a reduced license fee. The reduced fee shall not exceed \$50, excluding the plant pest emergency fee. Application for the reduced license fee shall be made on the license application form provided by the secretary.

(d) All live plant dealer licenses shall expire on January 31, following the date of issue. Renewal of a license on or after such date of expiration shall result in a \$25 late fee, except that if a license is renewed after the March 1 immediately following such date of expiration, such late fee shall be \$50. A live plant dealer license shall not be issued until all fees are paid to the secretary.

(e) Any person who conducts business as a special event live plant dealer shall not be required to obtain a live plant dealer's license but shall register with the secretary in such form and manner as prescribed by the secretary.

(f) A live plant dealer may only engage in the live plant business with live plants that are:

- (1) In compliance with all quarantines and regulated nonquarantine pest freedom standards established by the secretary; or
- (2) accompanied by a valid certificate of inspection of a federal inspector or inspector of another state stating that such live plants comply with all applicable quarantines and regulated nonquarantine pest freedom standards.

**History:** L. 1965, ch. 6, § 9; L. 1972, ch. 6, § 2; L. 1982, ch. 4, § 6; L. 2002, ch. 91, § 8; L. 2011, ch. 72, § 6; L. 2022, ch. 69, § 22; July 1.