

FIRST REGULAR SESSION  
[TRULY AGREED TO AND FINALLY PASSED]  
SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR

# SENATE BILL NO. 105

103RD GENERAL ASSEMBLY  
2025

0608S.03T

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## AN ACT

To repeal section 263.070, RSMo, and to enact in lieu thereof one new section relating to nonnative invasive plants.

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*Be it enacted by the General Assembly of the State of Missouri, as follows:*

Section A. Section 263.070, RSMo, is repealed and one new  
2 section enacted in lieu thereof, to be known as section 263.070,  
3 to read as follows:

263.070. 1. A schedule of fees to defray the cost of  
2 inspecting greenhouses, nurseries, nursery dealers, nursery  
3 stock, plants, plant products and other materials is hereby  
4 established and shall be listed in the rules made pursuant  
5 to sections 263.010 to 263.180. This fee schedule may be  
6 revised from time to time to more accurately reflect the  
7 actual cost of these inspections.

8 2. Greenhouse inspection shall be optional and any  
9 grower of greenhouse plants who may desire or find need for  
10 a certificate of greenhouse inspection may obtain semiannual  
11 inspection of his greenhouse, premises and plants, by making  
12 application to the state entomologist. This semiannual  
13 inspection and certification of greenhouses shall be  
14 performed under the same general provisions as apply to the

**EXPLANATION-Matter enclosed in bold-faced brackets [thus] in this bill is not enacted  
and is intended to be omitted in the law.**

15 annual inspection of nurseries. Greenhouse inspection  
16 certificates shall expire on November thirtieth of each year.

17 3. All nurseries in this state shall be inspected at  
18 least once each year to ascertain whether they are infested  
19 or infected with plant pests **and shall comply with the**  
20 **affidavit requirements under paragraph (d) of subdivision**  
21 **(1) of subsection 5 of this section.** Upon full payment of  
22 the fee **and submission of the affidavit** each nurseryman  
23 shall receive a written notice of the findings of such  
24 inspection along with a nursery inspection certificate;  
25 except that, the state entomologist may withhold  
26 certification of a nursery pending eradication of extremely  
27 serious or abundant plant pests or weeds of such nature  
28 which would prevent the adequate inspection of such  
29 nursery. This certificate shall be used in connection with  
30 the shipment or movement of any nursery stock shown to be  
31 apparently free of harmful and destructive plant pests or  
32 other nursery stock from which harmful and destructive plant  
33 pests have been eliminated. All nursery inspection  
34 certificates shall expire on September thirtieth of each  
35 year. Each nursery shall be allowed one retail sales outlet  
36 per certificate. Additional outlets shall require separate  
37 nursery dealer registration-inspection certificates. When  
38 the findings of the annual inspection of a nursery shall in  
39 the opinion of the state entomologist warrant such action,  
40 additional inspections of the nursery may be made and the  
41 nursery may be charged a fee sufficient to cover the cost of  
42 such reinspection.

43 4. By notice in writing the state entomologist may  
44 require a nurseryman to hold any variety or any amount of  
45 nursery stock for inspection or reinspection by quarantining  
46 such nursery stock whenever such action is necessary to

47 determine that it is free from pests or to allow time to  
48 eradicate any such pests. The state entomologist may  
49 further order the removal from sale and the treatment or  
50 destruction of any nursery stock infested or infected with  
51 especially injurious pests or nursery stock which is not  
52 viable or is in such damaged or desiccated condition as to  
53 be incapable of reasonable growth. No compensation shall be  
54 paid for any stock ordered destroyed.

55 5. (1) Each nursery dealer, before selling or  
56 offering for sale or otherwise distributing nursery stock  
57 within this state, shall annually obtain a nursery dealers'  
58 registration-inspection certificate for each individual  
59 location from which the dealer sells or offers for sale  
60 nursery stock. Each nursery dealer shall make application  
61 on forms to be provided by the state entomologist for each  
62 individual location, which shall include:

63 (a) The name and complete address of the nursery  
64 dealer's place of business for which such certificate is  
65 requested;

66 (b) A declaration that applicant will obtain and  
67 distribute only inspected and certified nursery stock; [and]

68 (c) An up-to-date listing of all sources from which  
69 [he] **the nursery dealer** secures nursery stock; and

70 (d) **An affidavit that the nursery dealer shall not**  
71 **knowingly and intentionally import, export, buy, sell,**  
72 **transport, distribute, or propagate any viable plant portion**  
73 **or seeds of:**

74 a. **Climbing euonymus (Euonymus fortune variety**  
75 **Coloratus), all varieties and cultivars of Japanese**  
76 **honeysuckle (Lonicera japonica), or all varieties and**  
77 **cultivars of Sericea lespedeza (Lespedeza cuneata), or**

78       **perilla mint (perilla frutescens) on or after January 1,**  
79       **2027; or**

80       **b. Burning bush (Euonymus alatus Compactus) or all**  
81       **varieties and cultivars of Callery pear (Pyrus calleryana)**  
82       **on or after January 1, 2029.**

83           (2) Each nursery dealer shall pay, at the time of  
84       making application, the annual registration-inspection fee  
85       as set forth in the rules made pursuant to sections 263.010  
86       to 263.180.

87           (3) All nursery dealer registration-inspection  
88       certificates shall expire on September thirtieth of each  
89       year.

90           (4) The state entomologist may inspect or cause to be  
91       inspected the premises of any nursery dealer including any  
92       sales yard, packing shed, nursery stock on hand or  
93       equipment, for the presence of dangerous and destructive  
94       plant pests which may be disseminated on nursery stock.

95           6. By notice in writing the state entomologist may  
96       require a nursery dealer to hold any variety or any amount  
97       of nursery stock by quarantining such nursery stock whenever  
98       such action is necessary to determine that it is free from  
99       pests or to allow time to eradicate any such pests. The  
100       state entomologist may further order the removal from sale  
101       and the treatment or destruction of any nursery stock  
102       infested or infected with especially injurious pests, or  
103       nursery stock which is not viable or is in such damaged or  
104       desiccated condition as to be incapable of reasonable  
105       growth. No compensation shall be paid for any stock ordered  
106       destroyed.

107           7. Any person in need of a special inspection and  
108       certification of nursery stock, other plants or plant  
109       products may upon request to the state entomologist have

110 same inspected for plant pests. A fee sufficient to cover  
111 the cost of such inspection or certificate, or both, may be  
112 charged. Upon completion of the inspection and payment of  
113 the fee, a certificate of inspection shall be issued  
114 provided the plants or plant products are free of harmful  
115 plant pests. The state entomologist may enter into  
116 agreements with various persons or companies, to carry out  
117 the requirements of this state and importing states or  
118 countries.

119 8. All moneys received for any inspection fee or other  
120 receipts under this law shall be deposited in the state  
121 treasury and shall be subject to appropriation by the  
122 general assembly.

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