

2021 Kansas Statutes

2-2124. Violations; temporary restraining orders. (a) It shall be a violation of this act for any person to:

- (1) Sell, barter, offer for sale, or move, transport, deliver, ship or offer for shipment into or within this state any plant pests in any living stage without first obtaining approval for such shipment from the secretary;
- (2) hinder or prevent the secretary from carrying out duties under this act;
- (3) fail to carry out the treatment or destruction of any plant pest or regulated article in accordance with official notification from the secretary;
- (4) sell, transport, deliver, distribute, offer or expose for sale live plants which are not in compliance with the provisions of this act;
- (5) engage in business as a live plant dealer and use an invalid, suspended or revoked certificate of inspection, permit or live plant dealer license;
- (6) fail to comply with any of the provisions of this act, or the rules and regulations adopted hereunder; and
- (7) knowingly move any regulated article into or within this state from a quarantined area when such article has not been treated or handled as provided by the requirements of said quarantine at the point of origin of such article.

(b) Each day a violation of this act occurs or continues shall constitute a separate violation.

(c) The district court shall have jurisdiction over violations of this act or rules and regulations adopted hereunder. Such court may issue temporary restraining orders without first requiring proof that an adequate remedy at law does not exist. Any such orders shall be issued without bond. Such orders may be issued prior to the initiation of any criminal, administrative or civil penalty proceedings.

History: L. 1965, ch. 6, § 13; L. 1976, ch. 8, § 3; L. 2002, ch. 91, § 11; L. 2011, ch. 72, § 9; July 1.