

1 SB103  
2 191002-2  
3 By Senator Whatley  
4 RFD: Agriculture, Conservation and Forestry  
5 First Read: 19-MAR-19

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8 SYNOPSIS: This bill would authorize the storage, sale,  
9 and dispensing of agricultural products by weight  
10 through vending machines.

11 This bill would require that the price per  
12 unit of weight be clearly indicated on the machine  
13 and would require that the machine satisfy all  
14 applicable building, electrical, and fire code  
15 requirements.

16 This bill would provide that the vending  
17 machine would be subject to all state and local  
18 taxation and would facilitate the reporting to an  
19 owner or operator by a consumer of problems or  
20 issues with the machine.

21 This bill would also require the Department  
22 of Agriculture and Industries to routinely inspect  
23 vending machines to ensure the accuracy of the  
24 weights and measures.

25  
26 A BILL  
27 TO BE ENTITLED

1 AN ACT

2  
3 Relating to agricultural products; to define terms;  
4 to authorize the storage, selling, and dispensing of  
5 agricultural products by weight through vending machines; to  
6 require compliance with applicable building, electrical, and  
7 fire codes; to provide that sales from the machine are subject  
8 to all applicable state and local taxes; to provide for the  
9 reporting of issues or problems with the machine by a  
10 consumer; and to require the Department of Agriculture and  
11 Industries to routinely inspect vending machines for accuracy  
12 in weights and measures.

13 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

14 Section 1. For the purposes of this act, the  
15 following terms shall have the following meanings:

16 (1) AGRICULTURAL PRODUCTS. Oats, rye, shelled corn,  
17 wheat, barley, cotton seed hulls, seeds, wild game feeds, rock  
18 salt, and protein pellets.

19 (2) VENDING MACHINE. A freestanding machine that  
20 makes, stores, and dispenses agricultural products for a price  
21 upon demand of a consumer and without an attendant.

22 Section 2. Commencing on the effective date of this  
23 act, an individual or business entity may store, sell, and  
24 dispense agricultural products by weight from a vending  
25 machine.

1           Section 3. (a) (1) Agricultural products shall be  
2 sold by weight in pounds or another measure of weight clearly  
3 indicated on the vending machine.

4           (2) The vending machine may accept cash or credit or  
5 debit cards as a medium of exchange and the price per unit of  
6 weight shall be clearly indicated on the vending machine.

7           (3) The vending machine shall satisfy all applicable  
8 building, electrical, and fire code requirements.

9           (4) Sales of agricultural products from the vending  
10 machine shall be subject to all applicable state and local  
11 taxes.

12           (b) To facilitate the reporting of problems or  
13 issues with the vending machine, the name of the owner or  
14 operator of the vending machine and contact information of the  
15 owner or operator, including a telephone number, shall be  
16 clearly visible on the vending machine.

17           (c) If an agricultural product dispensed from the  
18 vending machine is subject to other state laws or rules, the  
19 owner or operator of the vending machine shall comply with  
20 those laws or rules.

21           (d) (1) The Department of Agriculture and Industries  
22 shall routinely inspect vending machines dispensing  
23 agricultural products to ensure the accuracy of the machine's  
24 weights and measures. A vending machine dispensing  
25 agricultural products is not subject to certification by the  
26 National Conference on Weights and Measures in order to

1 operate in this state and is not required to obtain an NTEP  
2 Certificate of Conformance.

3 (2) A vending machine dispensing agricultural  
4 products in operation prior to the effective date of this act  
5 may continue to operate and shall be subject to an inspection  
6 by the Department of Agriculture and Industries not later than  
7 the first October 1 following the effective date of this act.

8 (3) The Department of Agriculture and Industries may  
9 adopt rules for the implementation and administration of this  
10 act.

11 Section 4. This act shall become effective  
12 immediately following its passage and approval by the  
13 Governor, or its otherwise becoming law.