The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Tyler S. McCloud.

DIGEST

SB 448 Engrossed | 2022 Regular Session | Luneau

Present law provides that any person who kills, catches, takes, possesses, or injures any fish, wild birds, wild quadrupeds, and other wildlife and aquatic life in violation of present law, any other state's law, or federal law governing fish or wildlife, or a regulation adopted pursuant to those laws, is liable for the value of the wildlife or aquatic life.

Present law requires the Dept. of Wildlife and Fisheries to demand restitution for the value of the wildlife or aquatic life when such a violation occurs. Present law authorizes the department to recover the value through an adjudicatory hearing in lieu of filing a civil suit. Present law authorizes either party to appeal the ruling from the adjudicatory hearing in the district court where the offense occurred.

Proposed law retains present law.

Present law authorizes the department to enforce the final ruling from the administrative hearing through civil proceedings in the 19th JDC.

Proposed law removes the secretary's authority to institute civil enforcement proceedings of a ruling in the 19th JDC.

Proposed law provides that a judgment from the administrative hearing shall become executory when all delays for appeal have expired according to the provisions of the APA and the La. C.C.P.

Effective August 1, 2022.

(Amends R.S. 56:40.3(E))