

2024 Regular Session

HOUSE BILL NO. 748

BY REPRESENTATIVES DOMANGUE AND TAYLOR AND SENATOR FESI

SEAFOOD: Provides relative to imported seafood safety fees

1 AN ACT

2 To amend and reenact R.S. 40:31.35(C) and R.S. 56:10(B)(3) and to repeal R.S. 40:5.10.1,  
3 relative to the fee for a commercial seafood permit; to modify fees assessed to  
4 commercial seafood plants and distributors; to provide for deposit of the fees into the  
5 Seafood Promotion and Marketing Fund; to provide for the authorized uses of the  
6 fund; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 40:31.35(C) is hereby amended and reenacted to read as follows:

9 §31.35. Commercial seafood permit fee

10 \* \* \*

11 C. ~~The~~ In addition to the fee provided for in Subsection A of this Section, the  
12 department shall charge and collect an imported seafood safety fee of ~~one~~ two  
13 hundred dollars annually from each holder of a commercial seafood permit ~~fee~~ who  
14 ~~sells~~ processes or distributes imported seafood. The proceeds of such fee shall be  
15 used for the purposes described in ~~R.S. 40:5.10.1~~ R.S. 56:10(B)(3)(i).

16 Section 2. R.S. 56:10(B)(3) is hereby amended and reenacted to read as follows:

17 §10. Annual report to governor; estimate of proposed expenditures; particular funds;  
18 limitations on purposes for use of monies in particular funds and accounts;  
19 warrants; vouchers; surplus funds

20 \* \* \*

21 B.

1 \* \* \*

2 (3) The monies in the Seafood Promotion and Marketing Fund shall be used  
3 by the Seafood Promotion and Marketing Board for the following purposes:

4 (a) To sample, analyze, test, and monitor raw seafood products of foreign  
5 origin that are imported into Louisiana and stored on the premises of any business  
6 holding a commercial seafood permit issued pursuant to R.S. 40:31.35 in order to  
7 detect substances that are harmful to human health. All monies deposited into the  
8 fund from the fee collected pursuant to R.S. 40:31.35(C) shall be used for this  
9 purpose. The board shall coordinate with the commissioner of agriculture and  
10 forestry to implement this Subparagraph.

11 (b) To otherwise ~~to~~ implement the duties and functions of the ~~that~~ board  
12 relating to the promotion and marketing of seafood as provided in R.S. 56:578.3 in  
13 the amounts appropriated each year to the Department of Culture, Recreation and  
14 Tourism by the legislature for the use by the board.

15 \* \* \*

16 Section 3. R.S. 40:5.10.1 is hereby repealed in its entirety.

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DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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HB 748 Reengrossed                      2024 Regular Session                      Domangue

**Abstract:** Modifies the imported seafood safety fee assessed to commercial seafood processors and distributors and provides for the use of the fees collected by the Seafood Promotion and Marketing Board in coordination with the commissioner of agriculture and forestry.

Present law requires a commercial seafood plant or distributor to obtain an annual commercial seafood permit to operate in the state. Specifies that the permit partially supports the inspection, monitoring, sampling, and testing of seafood.

Present law provides that a holder of a commercial seafood permit who sells imported seafood will be assessed an imported seafood safety fee of \$100 annually.

Proposed law increases the fee from \$100 to \$200.

Proposed law further applies to all holders of commercial seafood permits who process or distribute imported seafood, rather than those that sell imported seafood.

Present law requires that all fees collected from commercial seafood permit holders selling imported seafood be deposited into the Imported Seafood Safety Fund, to be used by the La. Dept. of Health for sampling, analyzing, testing, and monitoring of raw seafood of foreign origin that are imported into the state and stored on the premises of any business holding a commercial seafood permit issued by the La. Dept. of Health.

Proposed law repeals the Imported Seafood Safety Fund.

Proposed law requires that the fees be deposited into the Seafood Marketing and Promotion Fund and used by the Seafood Marketing and Promotion Bd., in coordination with the commissioner of agriculture and forestry, for the sampling, analyzing, testing, and monitoring of raw seafood of foreign origin that are imported into the state and stored on the premises of any business holding a commercial seafood permit issued by the La. Dept. of Health.

(Amends R.S. 40:31.35(C) and R.S. 56:10(B)(3); Repeals R.S. 40:5.10.1)

#### Summary of Amendments Adopted by House

##### The House Floor Amendments to the engrossed bill:

1. Make technical changes.
2. Remove the fee based on the gross revenue of the distributor or processor.
3. Increases the imported seafood safety fee from \$100 to \$200.
4. Repeal the Imported Seafood Safety Fund and send the fee collected instead to the Seafood Marketing and Promotion Fund.
5. Authorizes the Seafood Marketing and Promotion Bd. in coordination with the commissioner of agriculture and forestry to use the fee collected under proposed law for the sampling, analyzing, testing, and monitoring of raw seafood of foreign origin that are imported into the state and stored on the premises of any business holding a commercial seafood permit issued by the La. Dept. of Health.