

2015 Regular Session

HOUSE BILL NO. 291

BY REPRESENTATIVE ANDERS

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

HORTICULTURE: Increases fees and civil penalties relative to the regulation of horticulture

1 AN ACT

2 To amend and reenact R.S. 3:3803(16) and (17), 3806(B), (C), and (D), and 3810.2(A) and  
3 to enact R.S. 3:3803(18) and 3806(H), relative to the regulation of horticulture; to  
4 authorize the increase of license and permit fees; to increase civil penalties for  
5 certain violations; to provide for definitions; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 3:3803(16) and (17), 3806(B), (C), and (D), and 3810.2(A) are  
8 hereby amended and reenacted and R.S. 3:3803(18) and 3806(H) are hereby enacted to read  
9 as follows:

10 §3803. Definitions

11 As used in this Chapter, the following terms shall have the following  
12 meanings ascribed to them:

13 \* \* \*

14 (16) "Regular Employee" means a person who holds a valid, appropriate  
15 license or permit issued by the commissioner and who works at a place of business  
16 for thirty-two or more hours a week.

17 ~~(16)~~ (17) "Secretary" means the secretary of the commission.





Proposed law authorizes the commission to promulgate rules and regulations, in accordance with the Administrative Procedure Act, necessary to implement the provisions of proposed law.

Present law authorizes the commission to assess a civil penalty of \$250 if the person, subject to the civil penalty, has not been found guilty of violating present law or any rule or regulation adopted pursuant to present law in a prior adjudicatory proceeding held by the commission. Proposed law increases the penalty from \$250 to \$500.

Present law authorizes the commission to assess a civil penalty of \$500 if the person, subject to the civil penalty, has been found guilty of violating present law or any rule or regulation adopted pursuant to present law in a prior adjudicatory proceeding held by the commission. Proposed law increases the penalty from \$500 to \$1,000.

Present law authorizes the commission to assess a civil penalty of \$1,000 if the person, subject to the civil penalty, has been found guilty of violating present law or any rule or regulation adopted pursuant to present law in two or more prior adjudicatory proceedings held by the commission. Proposed law increases the penalty from \$1,000 to \$1,500.

(Amends R.S. 3:3803(16) and (17), 3806(B), (C), and (D), and 3810.2(A); Adds R.S. 3:3803(18) and 3806(H))