
DIGEST

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HB 341 Original

2015 Regular Session

Garofalo

Abstract: Provides additional penalties for the illegal taking of oysters from leased acreage.

Present law provides that illegal taking of oysters is a class six offense punishable for each offense with a fine of between \$900 and \$950 or imprisonment for less than 120 days or both and forfeiture of anything seized.

Proposed law adds penalties in addition to the class six penalties as follows:

- (1) For the first violation, the violator's oyster harvester license shall be revoked and a new license shall not be issued for one year from the date of conviction, and the violator shall be required to perform at least 40 hours of community service, litter abatement if available. During the period of revocation, proposed law allows the violator to be present on a vessel harvesting or processing oysters only if the vessel is equipped with and actively using a vessel monitoring system approved by the Dept. of Wildlife and Fisheries.
- (2) For a second violation, the violator's oyster harvester license shall be revoked and a new license shall not be issued for three years from the date of conviction and the violator shall be required to perform at least 90 hours of community service, litter abatement if available. For a second or subsequent violation, the violator is prohibited from being on a vessel harvesting or processing oysters.
- (3) For a third or subsequent violation, the violator's oyster harvester license shall be revoked and a new license shall not be issued for 10 years from the date of conviction and the violator shall be required to perform at least 120 hours of community service, litter abatement if available.

(Amends R.S. 56:431(D))