

2017 Regular Session

HOUSE BILL NO. 321

BY REPRESENTATIVE GISCLAIR

DAIRY INDUSTRY: Establishes a permit fee for milk and dairy farms and plants

1 AN ACT

2 To enact R.S. 40:31.38, relative to permit fees for milk and dairy farms and plants; to
3 require a permit fee for dairy farms; to require a permit fee for dairy plants; to
4 require a permit fee for single service milk and milk product container or closure
5 manufacturing plants; to set the amount of the fees; to provide for definitions; to
6 provide for an effective date; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 40:31.38 is hereby enacted to read as follows:

9 §31.38. Dairy farms and plants; milk plants; permit fees; definitions

10 A.(1) The department shall charge an annual fee in the amount of ninety
11 dollars per permit issued to a dairy farm.

12 (2) As used in this Subsection, the term "dairy farm" means any place or
13 premises where one or more cows, goats, sheep, water buffaloes, or other hooved
14 mammals are kept for milking and from which a part or all of the milk produced is
15 provided, sold, or offered for sale to a dairy plant, transfer station, or receiving
16 station possessing a permit from the Louisiana Department of Health.

17 B.(1) The department shall charge an annual fee in the amount of three
18 hundred dollars per permit issued to a dairy plant.

19 (2) As used in this Subsection, the term "dairy plant" means any place,
20 premises, or establishment where milk, milk products including frozen desserts,

1 frozen dessert mixes, filled milk or filled milk products, anomalous milk, anomalous
2 milk products or anomalous dairy products, and dairy products are collected,
3 handled, processed, stored, pasteurized, ultra-pasteurized, aseptically processed,
4 churned, frozen, dried, blended, concentrated, condensed, packaged, or prepared for
5 distribution and where milk tank trucks are cleaned and sanitized when received. The
6 term also includes out-of-state facilities and establishments whose products are sold
7 or distributed within the state of Louisiana.

8 C.(1) The department shall charge an annual fee in the amount of three
9 hundred dollars per permit issued to a single service milk and milk product container
10 or closure manufacturing plant.

11 (2) As used in this Subsection, the term "single service milk and milk
12 product container or closure manufacturing plant" means fabricators, converters,
13 printers, closure manufacturers, plastic laminators, sheet formers, blow molders,
14 vacuum formers, plastic extruders, injection molders, preformers, manufacturers of
15 valves, valve parts, tubes, dispensing devices, and sample containers for use with
16 milk or milk products. The term also includes out-of-state facilities and
17 establishments whose products are sold or distributed within the state of Louisiana.

18 Section 2. This Act shall become effective upon signature by the governor or, if not
19 signed by the governor, upon expiration of the time for bills to become law without signature
20 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
21 vetoed by the governor and subsequently approved by the legislature, this Act shall become
22 effective on the day following such approval.

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)]

HB 321 Original

2017 Regular Session

Gisclair

Abstract: Requires a permit fee for dairy farms, dairy plants, and single service milk and milk product container or closure manufacturing plants.

Proposed law requires the La. Dept. of Health to charge the following annual permit fees:

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| (1) | Dairy farms | \$90 |
| (2) | Dairy plants | \$300 |
| (3) | Single service milk and milk product
container or closure manufacturing plant | \$300 |

Proposed law defines the term "dairy farm", "dairy plant", and "single service milk and milk product container or closure manufacturing plant".

Effective upon signature of governor or lapse of time for gubernatorial action.

(Adds R.S. 40:31.38)