
DIGEST

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HB 561 Reengrossed

2018 Regular Session

Emerson

Abstract: Repeals the examination and licensing of retail and wholesale florists and creates a floral dealer permit.

Present law authorizes a retail florist to arrange or supervise the arrangement of floral designs which include living or freshly cut plant materials and to sell at retail floral designs, cut flowers, and ornamental plants in pots normally and customarily sold by florists. Proposed law repeals present law.

Present law authorizes a wholesale florist to prepare and sell cut flowers, plant materials, and ornamental plants in pots normally and customarily used by retail florists to persons who hold a retail florist's license and to prepare and sell cut flowers to persons who hold a cut flower dealer's permit. However, prohibits a wholesale florist from arranging or selling floral designs. Proposed law repeals present law.

Present law provides that the membership of the Horticulture Commission includes a retail florist and a wholesale florist. Proposed law repeals present law and provides that the membership includes a floral dealer.

Present law provides for the regulation, examination, and licensing of retail and wholesale florists. Proposed law repeals present law and creates a floral dealer permit.

Proposed law establishes a floral dealer permit fee that is no less than \$70 nor more than \$100 per permit.

Proposed law authorizes a floral dealer to sell cut flowers and ornamental plants in pots and modifies provisions regulating the operation of vending machines by restricting permittees to their respective parishes, no more than 25 miles beyond their place of business.

Proposed law declares that any rule or regulation providing for the regulation, examination, and licensing of retail and wholesale florists are null, void, and without effect upon the effective date of proposed law.

Proposed law requires the department to issue a notice of intent to amend its rules and regulations in conformity with proposed law on or before Sept. 1, 2018 and adopt same on or before Dec. 1, 2018.

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

(Amends R.S. 3:3801(A)(intro. para.) and (5) and (C)(2), 3805, 3806(E) through (H), and 3808(I) through (P); Adds R.S. 3:3804(B)(3), 3806(I), and 3808(Q); Repeals R.S. 3:3801(A)(6) and (C)(3), 3804(A)(2) and (3), 3807(B)(2) and (3), and 3808(B) and (C))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Agriculture, Forestry, Aquaculture, and Rural Development to the original bill:

1. Create a floral dealer permit.
2. Add a flower dealer to the Horticulture Commission.
3. Establish a permit fee between \$70 and \$140 for each floral dealer.
4. Authorize the floral dealer permit holder to sell cut flowers and ornamental plants in pots.
5. Modify provisions regulating the operation of vending machines by restricting permittees to their respective parishes, no more than 25 miles beyond their place of business.
6. Make technical changes.

The House Floor Amendments to the engrossed bill:

1. Change the maximum floral dealer permit fee from \$140 to \$100.
2. Make technical changes.