

RÉSUMÉ DIGEST

ACT 74 (HB 355)

2019 Regular Session

Gisclair

Existing law prohibits the taking of adult crabs in the berry stage. New law additionally prohibits the taking of immature female crabs.

Existing law allows an incidental take of crabs in berry stage of not more than two percent. New law limits the incidental take of immature female crabs to not more than five percent.

Existing law provides that most crab fishing violations are class four violations punishable as follows:

1st offense between \$400 & \$950 or imprisonment for more than 120 days, or both.

2nd offense between \$750 & \$999 & imprisonment between 90 and 180 days.

3rd offense or more between
\$1,000 & \$5,000 & imprisonment between 180 days and 2 years.

Provides forfeiture of anything seized in connection with the violation.

New law adds to the class four punishments the following enhancements for theft of crab traps or crabs from within a trap:

1st offense: Suspension of crab trap gear license for one year; 40 hours community service; mandatory use of an approved vessel monitoring system (VMS) on any vessel used by the violator for the one-year suspension period.

2nd offense: Suspension of crab trap gear license for three years; 90 hours community service; mandatory use of an approved VMS on any vessel used by the violator for the three-year suspension period.

3rd offense: Suspension of crab trap gear license for 10 years; 120 hours community service; prohibited from being on a vessel fishing for crabs for duration of the suspension.

New law adds to the class four punishments the following enhancements for violations other than theft of crab traps or crabs from within a trap:

1st offense: Performance of 40 hours of community service preferably in litter abatement or removal of derelict crab traps.

2nd offense: Suspension of crab trap gear license for one year; 40 hours community service preferably in litter abatement or removal of derelict crab traps; mandatory use of an approved VMS on any vessel used by the violator for the one-year suspension period.

3rd offense: Suspension of crab trap gear license for three years; 90 hours community service preferably in litter abatement or removal of derelict crab traps; mandatory use of an approved VMS on any vessel used by the violator for the three-year suspension period.

4th offense: Suspension of crab trap gear license for 10 years; 120 hours community service preferably in litter abatement or removal of derelict crab traps; prohibited from being on a vessel fishing for crabs for duration of the suspension.

Effective Aug. 1, 2019.

(Amends R.S. 56:332(B), (F), and (H))

