

2021 Regular Session

HOUSE BILL NO. 317

BY REPRESENTATIVE KERNER

1 AN ACT

2 To amend and reenact R.S. 40:31.35(C) and to enact R.S. 40:5.10.1, relative to financing of  
3 certain services of the office of public health of the Louisiana Department of Health  
4 pertaining to food safety; to authorize the Louisiana Department of Health to charge  
5 and collect from certain commercial seafood permit holders an imported seafood  
6 safety fee; to establish the amount of the fee; to create the Imported Seafood Safety  
7 Fund as a special treasury fund; to provide for the deposit, use, and investment of  
8 monies in the fund; to require appropriation of monies in the fund to the office of  
9 public health for certain purposes; to provide for duties of the state health officer  
10 with respect to sampling, analysis, testing, and monitoring of imported seafood; and  
11 to provide for related matters.

12 Be it enacted by the Legislature of Louisiana:

13 Section 1. R.S. 40:31.35(C) is hereby amended and reenacted and R.S. 40:5.10.1 is  
14 hereby enacted to read as follows:

15 §5.10.1. Imported Seafood Safety Fund

16 A. There is hereby created in the state treasury a special fund designated as  
17 the Imported Seafood Safety Fund, referred to hereafter in this Section as the "fund".  
18 After allocation of money to the Bond Security and Redemption Fund as provided  
19 in Article VII, Section 9(B) of the Constitution of Louisiana, the treasurer shall  
20 deposit in and credit to the fund monies collected pursuant to R.S. 40:31.35(C).  
21 Monies in the fund shall be invested in the same manner as monies in the state  
22 general fund. Interest earned on investment of monies shall be deposited in and  
23 credited to the fund. Unexpended and unencumbered monies in the fund shall  
24 remain in the fund. Monies in the fund shall be appropriated to the office of public

1 health of the Louisiana Department of Health and used exclusively as provided in  
2 this Section.

3 B. The monies in the fund shall be appropriated and expended solely for the  
4 purpose of sampling, analysis, testing, and monitoring of raw seafood products of  
5 foreign origin that are imported into Louisiana and stored on the premises of any  
6 business holding a commercial seafood permit issued pursuant to R.S. 40:31.35. The  
7 office of public health of the Louisiana Department of Health shall directly  
8 administer or contract for such sampling, analysis, testing, and monitoring functions.  
9 The office of public health shall employ such functions to detect in imported seafood  
10 products the presence of substances that are harmful to human health. The state  
11 health officer shall determine the specific types of such sampling, analysis, testing,  
12 and monitoring functions to be implemented as well as the frequency and scope of  
13 these activities, all of which he may modify based upon the availability of funding  
14 for these purposes.

15 \* \* \*

16 §31.35. Commercial seafood permit fee

17 \* \* \*

18 C. ~~The fees in this Section shall replace the seafood fees promulgated by the~~  
19 ~~department in the June 20, 1989, Louisiana Register.~~ The department shall charge  
20 and collect an imported seafood safety fee of one hundred dollars annually from each  
21 holder of a commercial seafood permit fee who sells imported seafood. The  
22 proceeds of such fee shall be used for the purposes described in R.S. 40:5.10.1.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_