

2024 Regular Session

HOUSE BILL NO. 543

BY REPRESENTATIVE ZERINGUE

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AN ACT

To amend and reenact Section 6 of Act No. 356 of the 2021 Regular Session of the Legislature and R.S. 56:10(B)(1)(f), 302.9(B), (C)(3)(c), and (G), and 3001(A)(4) and (5) and (B)(5) and (6), to enact R.S. 56:302.1 and 3001(A)(6) and (B)(7), and to repeal R.S. 56:3007(C), relative to fishing; to require saltwater fishing licenses; to provide for terms and conditions of the saltwater fishing license; to provide for charter fishing licenses; to provide for the charter promotion fee, and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 56:10(B)(1)(f), 302.9(B), (C)(3)(c), and (G), and 3001(A)(4) and (5) and (B)(5) and (6) are hereby amended and reenacted and R.S. 56:302.1 and 3001(A)(6) and (B)(7) are hereby enacted to read as follows:

§10. Annual report to governor; estimate of proposed expenditures; particular funds; limitations on purposes for use of monies in particular funds and accounts; warrants; vouchers; surplus funds

\* \* \*

B.(1) Subject to the exception contained in Article VII, Section 9(A) of the Constitution of Louisiana, all funds collected by the commission from every source shall be paid into the state treasury and shall be credited to the Bond Security and Redemption Fund. Out of the funds remaining in the Bond Security and Redemption Fund after a sufficient amount is allocated from that fund to pay all obligations secured by the full faith and credit of the state which become due and payable within any fiscal year, the treasurer shall, prior to placing such remaining funds in the state general fund, conform to the following:

\* \* \*

(f) There is hereby created in the Conservation Fund; a special escrow account known as the Charter Boat Fishing Escrow Account Fund. The escrow account is created to receive deposits of charter promotion fees collected pursuant to R.S. 56:302.9(C)(3)(c) and 3001. Monies deposited into the fund shall be used by the department Louisiana Charter Boat Association for the promotion of the charter boat industry, protection of the fishery, and to provide for administrative costs of the fund. ~~Such funds are to be expended for such purposes through the Louisiana Charter Boat Association.~~

\* \* \*

§302.1. Saltwater fishing; charter fishing

A. Any person fishing in the saltwater areas of the state defined in R.S. 56:322 must purchase and possess both a basic fishing license and a saltwater license or an equivalent license that grants both basic fishing and saltwater fishing privileges.

B. As a condition of the application for and the granting of the saltwater license, all saltwater finfish caught or transported by the license holder while the license is in effect are presumed to have been taken in the waters of Louisiana.

C. A person fishing with a licensed charter guide on board the vessel may purchase a charter three-day fishing license in lieu of a basic annual recreational fishing license.

D. In addition to the license fee assessed for any recreational charter fishing license, an amount equal to seven dollars and fifty cents shall be collected and deposited into the Charter Boat Fishing Escrow Account pursuant to R.S. 56:10(B)(1)(f).

E. A person may take or possess a freshwater species of fish while in the saltwater areas designated by R.S. 56:322(B) without the necessity of a saltwater license. The commission shall promulgate by rule the species of fish classified as freshwater species. While in saltwater areas, a person possessing fish other than those designated as freshwater species shall be required to possess either a saltwater fishing license or an equivalent license that grants both basic and saltwater fishing privileges. Any species of fish that is required to be returned to the water shall be returned immediately to the water without avoidable injury from which it was taken.

1 An enforcement agent or officer of the department may inspect a fisherman's catch  
2 to ensure compliance with this Subsection.

3 \* \* \*

4 §302.9. Charter boat fishing guide license; nonresident fee

5 \* \* \*

6 B. A nonresident fishing from a vessel operated by a licensed charter boat  
7 fishing guide shall purchase and possess the appropriate required license as defined  
8 in R.S. 56:3001(B) a valid license to fish in the saltwater areas of the state. Each  
9 nonresident shall also possess a valid out-of-state motor vehicle operator's license or  
10 such other proof of residency as the department may require.

11 C.

12 \* \* \*

13 (3)

14 \* \* \*

15 (c) There shall be an additional five hundred dollar charter promotion fee for  
16 each nonresident charter boat fishing guide license issued under the provisions of  
17 Subparagraphs (a) and (b) of this Paragraph which shall be deposited into the Charter  
18 Boat Fishing Escrow Account Conservation Fund, as provided in R.S.  
19 56:10(B)(1)(f). ~~Such funds shall be used by the department for promotion of the~~  
20 ~~charter boat industry, protection of the fishery, and to provide for administrative~~  
21 ~~costs of the fund. Such fees are to be expended for such purposes through the~~  
22 ~~Louisiana Charter Boat Association.~~

23 \* \* \*

24 G. Except for the charter promotion fee provided for in Subparagraph  
25 (C)(3)(c) of this Section, all annual license ~~The fees derived pursuant to this Section~~  
26 ~~shall be placed in the conservation fund. Ten percent of the fees collected annually~~  
27 ~~from the sale of charter boat fishing guide licenses shall be used by the department~~  
28 ~~for the promotion of the industry and protection of the fishery. Such fees are to be~~  
29 ~~expended for such purposes through the Louisiana Charter Boat Association.~~

30 \* \* \*

31 §3001. Recreational fishing licenses; fees

32 A. Resident licenses:

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|---|-----------------------------------|
| (4) Charter three-day saltwater fishing license       | <del>\$20.00</del> <u>\$12.50</u> |
| (5) Charter three-day freshwater fishing license      | <del>\$10.00</del> <u>\$2.50</u>  |
| <u>(6) Charter promotion fee</u>                      | <u>\$7.50</u>                     |
| B. Nonresident licenses:                              |                                   |
| (5) Charter boat three-day saltwater fishing license  | <del>\$20.00</del> <u>\$12.50</u> |
| (6) Charter boat three-day freshwater fishing license | <del>\$10.00</del> <u>\$2.50</u>  |
| <u>(7) Charter promotion fee</u>                      | <u>\$7.50</u>                     |

Section 2. Section 6 of Act No. 356 of the 2021 Regular Session of the Legislature is hereby amended and reenacted to read as follows:

Section 6. R.S. 56:10(B)(1)(d), (6), 103(E) and (F), 103.1, 104, 105, 155, 156, 157, 164, 165, 166, ~~302.1~~, 302.2, 302.3, 302.4, 302.5, 302.6, 303.6(A)(2), 641.1, 642, 643, 646, 647.1, 649.5, 649.6, 650, 650.1, and 1832 are hereby repealed in their entirety.

Section 3. R.S. 56:3007(C) is hereby repealed in its entirety.

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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