ACT No. 719

HOUSE BILL NO. 676

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BY REPRESENTATIVES KERNER, ADAMS, BAYHAM, BERAULT, BILLINGS, BRAUD, ROBBY CARTER, WILFORD CARTER, COATES, COX, DEWITT, DOMANGUE, GREEN, JACKSON, MIKE JOHNSON, LARVADAIN, ORGERON, ROMERO, SELDERS, TAYLOR, WALTERS, AND ZERINGUE

1 AN ACT 2 To amend and reenact R.S. 40:5.10.1 and R.S. 56:306(Section heading) and (B)(6) and 3 306.1(Section heading) and (B)(6) and to enact R.S. 56:306(B)(8) and 306.1(B)(8), relative to imported seafood licenses and fees; to require licensed wholesale/retail 4 5 and licensed retail dealers who sell imported seafood to obtain an additional imported seafood license; to establish license fees; to establish license duration and 6 7 purchasing; to allocate license revenue; to repeal a duplicative fee; and to provide for 8 related matters. 9 Be it enacted by the Legislature of Louisiana: 10 Section 1. R.S. 40:5.10.1 is hereby amended and reenacted to read as follows: 11 §5.10.1. Imported Seafood Safety Fund 12 A. There is hereby created in the state treasury a special fund designated as 13 the Imported Seafood Safety Fund, referred to hereafter in this Section as the "fund". 14 After allocation of money to the Bond Security and Redemption Fund as provided 15 in Article VII, Section 9(B) of the Constitution of Louisiana, the treasurer shall 16 deposit in and credit to the fund monies collected pursuant to R.S. 40:31.35(C), 17 56:306(B)(8), and 306.1(B)(8). Monies in the fund shall be invested in the same 18 manner as monies in the state general fund. Interest earned on investment of monies 19 shall be deposited in and credited to the fund. Unexpended and unencumbered 20 monies in the fund shall remain in the fund. Monies in the fund shall be appropriated 21 to the office of public health of the Louisiana Department of Health and used

exclusively as provided in this Section.

CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

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B. The monies in the fund shall be appropriated and expended solely for the purpose of sampling, analysis, testing, and monitoring of raw seafood products of foreign origin that are imported into Louisiana and stored on the premises of any business holding a commercial seafood permit issued pursuant to R.S. 40:31.35 or an imported seafood license issued pursuant to R.S. 56:306 or 306.1. The office of public health of the Louisiana Department of Health shall directly administer or contract for such sampling, analysis, testing, and monitoring functions. The office of public health shall employ such functions to detect in imported seafood products the presence of substances that are harmful to human health. The state health officer shall determine the specific types of such sampling, analysis, testing, and monitoring functions to be implemented as well as the frequency and scope of these activities, all of which he may modify based upon the availability of funding for these purposes.

Section 2. R.S. 56:306(Section heading) and (B)(6) and 306.1 (Section heading) and

(B)(6) are hereby amended and reenacted and R.S. 56:306(B)(8) and 306.1(B)(8) are hereby enacted to read as follows:

§306. Wholesale/retail seafood dealer's license; place of business; employees; exemptions; wholesale out-of-state crab shipping license; imported seafood license

20 * * *

21 B.

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(6) Restaurants and retail grocers who only purchase fish <u>or seafood</u>, whether fresh, frozen, processed, or unprocessed, from a licensed wholesale/retail seafood dealer and only sell such fish <u>or seafood</u> fully prepared for immediate consumption by the consumer need not be licensed in compliance with the provisions of this Section. Any restaurant or retail grocer who sells fish <u>or seafood</u> as described in this Section shall be licensed in accordance with the applicable law. All restaurants and retail grocers shall maintain records as required in this Subpart.

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1	(8)(a) In addition to the license requirements contained in this Section, any
2	wholesale/retail seafood dealer who sells seafood sourced from outside of the federal
3	exclusive economic zone (EEZ) shall be required to purchase an imported seafood
4	license in addition to his wholesale/retail dealer's license. The imported seafood
5	license shall be issued in the same manner as a wholesale/retail seafood dealer's
6	license and shall be issued only to a person who is a licensed wholesale/retail
7	seafood dealer.
8	(b) The license shall be valid for one year, beginning on January first of each
9	calendar year and expiring on December thirty-first of the same calendar year. The
10	license may be purchased at any time of the year for the current license year and
11	from November fifteenth for the immediately following license year. The license fee
12	shall be three hundred dollars.
13	(c) Ten percent of all revenues collected from the issuance of imported
14	seafood licenses shall be deposited into the Conservation Fund as provided in R.S.
15	56:10 and the remainder shall be deposited into the Imported Seafood Safety Fund
16	as provided in R.S. 40:5.10.1.
17	§306.1. Retail seafood dealer's license; place of business; employees; retail
18	out-of-state crab shipping license; imported seafood license
19	* * *
20	B.
21	* * *
22	(6) Restaurants and retail grocers who only purchase fish or seafood,
23	whether fresh, frozen, processed, or unprocessed, from a licensed wholesale/retail
24	seafood dealer and only sell such fish or seafood fully prepared for immediate
25	consumption by the consumer need not be licensed in compliance with the provisions
26	of this Section. Any restaurant or retail grocer who sells fish or seafood as described
27	in R.S. 56:306 or this Section shall be licensed in accordance with the applicable
28	law. All restaurants and retail grocers shall maintain records as required in this
29	Subpart.

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HB NO. 676 **ENROLLED** (8)(a) In addition to the license requirements contained in this Section, any retail seafood dealer who sells seafood sourced from outside of the federal exclusive economic zone (EEZ) shall be required to purchase an imported seafood license in

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calendar year and expiring on December thirty-first of the same calendar year. The

license may be purchased at any time of the year for the current license year and

from November fifteenth for the immediately following license year. The license fee

seafood licenses shall be deposited into the Conservation Fund as provided in R.S.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

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APPROVED: ____

PRESIDENT OF THE SENATE

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