

2016 Regular Session

SENATE BILL NO. 74

BY SENATORS THOMPSON, ALLAIN, PEACOCK AND JOHN SMITH

AGRICULTURAL COMMODITIES. Provides relative to the official logo for state products and authorizes civil penalties. (gov sig)

1 AN ACT

2 To amend and reenact R.S. 3:4721(A) and (C) and to enact R.S. 3:4722, relative to the logo
3 for state products; to expand logo eligibility; to authorize the commissioner of
4 agriculture and forestry to impose civil penalties; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 3:4721(A) and (C) are hereby amended and reenacted and R.S.
7 3:4722 is hereby enacted to read as follows:

8 §4721. Logo for state products

9 A. The Department of Agriculture and Forestry may develop and adopt an
10 official logo for ~~products produced in this state;~~

11 **(1) Products grown, manufactured, or produced in Louisiana.**

12 **(2) Agricultural related activities conducted in Louisiana.**

13 * * *

14 C. The department may license the use of the logo and may adopt rules for
15 determining which products and which **growers**, producers, or manufacturers will
16 be allowed to use the logo.

17 * * *

§4722. Violations; penalties

A. The commissioner may impose a civil penalty of up to five hundred dollars for each violation of this Subpart or of the rules and regulations adopted pursuant to this Subpart. Each day on which a violation occurs shall constitute a separate offense.

B. Civil penalties may only be assessed by a ruling of the commissioner based on an adjudicatory hearing held in accordance with the Administrative Procedure Act.

C. The commissioner may institute civil proceedings to enforce his rulings in the district court for the parish in which the violation occurred.

Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Curry Lann.

DIGEST

SB 74 Engrossed

2016 Regular Session

Thompson

Present law authorizes the Dept. of Agriculture and Forestry to develop and adopt an official logo for products produced in Louisiana.

Proposed law expands present law to include products grown or manufactured in Louisiana and agricultural related activities conducted in Louisiana.

Proposed law authorizes the commissioner of agriculture and forestry to impose a civil penalty of up to \$500 for violations. Each day on which a violation occurs shall constitute a separate offense.

Proposed law provides that civil penalties may only be assessed by a ruling of the commissioner based on an adjudicatory hearing held in accordance with the Administrative Procedure Act.

Proposed law authorizes the commissioner to institute civil proceedings to enforce his rulings in the district court for the parish in which the violation occurred.

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

(Amends R.S. 3:4721(A) and (C); adds R.S. 3:4722)