

ACT No. 353

2022 Regular Session

HOUSE BILL NO. 791

BY REPRESENTATIVE KERNER

1 AN ACT

2 To enact R.S. 56:302.9(J), relative to penalties for charter fishing without required
3 credentials; to provide for penalties; to provide for vessel monitoring system
4 requirements; to provide for rules and regulations; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 56:302.9(J) is hereby enacted to read as follows:

7 §302.9. Charter boat fishing guide license; nonresident fee

8 * * *

9 J.(1) In addition to any other penalty provided for in the Section, any person
10 convicted of a second offense of violating Subsections A or B of this Section, the
11 offender may only operate a vessel that employs a vessel monitoring system for the
12 three years after the date of the conviction. For any person convicted of a third or
13 subsequent offense of violating Subsections A or B of this Section, the offender may
14 only operate a vessel that employs a vessel monitoring system for ten years after the
15 date of the conviction.

16 (2) Whenever a offender is required to employ a vessel monitoring system,
17 access to the monitoring system shall be granted to the department and the offender
18 shall notify the department on which vessel or vessels the offender will be operating
19 for commercial or recreational use. Any person required to be on board a vessel with
20 an approved vessel monitoring system shall comply with all rules and regulations
21 promulgated by the department or the commission to ensure compliance with vessel
22 monitoring system requirements. The cost of a vessel monitoring system shall be the
23 responsibility of the offender. The department shall approve the vessel monitoring
24 system for use pursuant to this Section.

1 (3) Any charter guide or individual posing as a charter guide required to
2 operate a vessel with an approved vessel monitoring system who is found operating
3 any vessel that is not equipped with such a system, for commercial or recreational
4 purposes, may have their charter guide license suspended and may be prohibited
5 from obtaining such a license for the remainder of the year in which the person was
6 found not abiding by the vessel monitoring requirement. In addition, the violator
7 shall be sentenced to perform no less that forty hours of community service. If
8 available, the hours shall be served in a litter abatement community service program.

9 (4) The department shall adopt rules and regulations in accordance with the
10 Administrative Procedure Act to implement the provisions of this Section.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____