

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **HB 528** HLS 23RS 877

Bill Text Version: **ORIGINAL**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

Date: April 25, 2023	2:35 PM	Author: CORMIER
Dept./Agy.: Wildlife & Fisheries/Health/District Attorneys		Analyst: Kimberly Fruge
Subject:		

WILDLIFE/ENFORCEMENT OR INCREASE SD EX See Note Page 1 of 1
Increases penalties for violations of shrimp and crawfish labeling requirements in food service establishments

Proposed law provides for civil penalties for mislabeling imported crawfish and shrimp under the sanitation code; removes the district attorney's jurisdiction over violations; authorizes the Louisiana Department of Wildlife and Fisheries (LDWF) to enforce and collect civil penalties.

EXPENDITURES	2023-24	2024-25	2025-26	2026-27	2027-28	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
Annual Total						

REVENUES	2023-24	2024-25	2025-26	2026-27	2027-28	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
Annual Total						

EXPENDITURE EXPLANATION

Proposed law will increase expenditures for the Louisiana Department of Wildlife and Fisheries (LDWF) to enforce and adjudicate civil penalties associated with labeling imported shrimp and crawfish. The department estimates an increase of \$100,000 in overtime hours for the Enforcement Division, which would be funded through the Shrimp Marketing and Promotion Account. The LFO cannot corroborate the overtime needs detailed by LDWF. To the extent overtime hours are less than expected, costs would decrease proportionally. The cost of an adjudicatory hearing is unknown at this time. Any increase in expenditures for adjudication would be paid out of the Conservation Fund.

Removing jurisdiction from the District Attorneys may decrease their overall workload and any costs associated with prosecuting these penalties.

REVENUE EXPLANATION

Proposed law may lead to an increase in revenues collected by the Louisiana Department of Wildlife and Fisheries (LDWF) and a decrease in revenues collected by district attorneys. The level of compliance with shrimp and crawfish labeling is unknown at this time. All fine amounts collected by LDWF will be deposited into the Conservation Fund.

In addition, to the extent the Louisiana Department of Health (LDH) has the ability to collect civil penalties following an adjudication hearing under sanitation code provisions, revenues collected by LDH may also increase.

Senate
Dual Referral Rules
 13.5.1 >= \$100,000 Annual Fiscal Cost {S & H}
 13.5.2 >= \$500,000 Annual Tax or Fee Change {S & H}

House
 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}
 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}

Evan Brasseaux
Evan Brasseaux
Interim Deputy Fiscal Officer