

2024 Regular Session

HOUSE BILL NO. 661

BY REPRESENTATIVE BRYANT

FISHING/COMMERCIAL: Provides relative to charter boat fishing guide licensing

1 AN ACT

2 To amend and reenact R.S. 56:302.9(A)(1)(b) and (3) and (J)(1), relative to charter boat  
3 fishing guides; to require that freshwater charter boat fishing guides obtain a United  
4 States Coast Guard captain's license; to remove the requirement that the Department  
5 of Wildlife and Fisheries provide information about federal law to freshwater charter  
6 boat fishing guides; to provide for penalties; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 56:302.9(A)(1)(b) and (3) and (J)(1) are hereby amended and  
9 reenacted to read as follows:

10 §302.9. Charter boat fishing guide license; nonresident fee

11 A.(1)

12 \* \* \*

13 (b) No person shall act as or represent himself to be a freshwater charter boat  
14 fishing guide unless that person possesses a valid state charter boat fishing guide  
15 license, a valid captain's license issued by the United States Coast Guard, proof of  
16 liability insurance, and a valid state recreational fishing license that grants fishing  
17 privileges appropriate for his charter activity. In addition, any person acting as a  
18 freshwater charter boat fishing guide who is in charge of the operation of a vessel  
19 shall have his required licenses and proof of liability insurance on his person while  
20 on the water. It shall not be a violation of this Section for a person to represent

1 himself as a charter boat fishing guide if that person held a valid license during the  
2 previous thirty days but has not renewed the license. ~~The department shall provide~~  
3 ~~written notification to the holder of a license issued pursuant to this Subparagraph~~  
4 ~~that the holder may be subject to other requirements of law, including holding a valid~~  
5 ~~captain's license issued by the United States Coast Guard.~~

6 \* \* \*

7 (3) The nonresident charter boat fishing guide license shall be available only  
8 from the Baton Rouge office of the Department of Wildlife and Fisheries. Such  
9 licenses shall be issued on a consignment basis, and no agent fees shall apply. A  
10 nonresident ~~saltwater~~ charter boat fishing guide license shall be made available only  
11 to those persons who possess a valid captain's license issued by the United States  
12 Coast Guard.

13 \* \* \*

14 J.(1) In addition to any other penalty provided for in the Section, for any  
15 person convicted of a first offense of violating Subsection A or B of this Section, the  
16 offender shall pay a fine of no less than one thousand dollars to the Department of  
17 Wildlife and Fisheries. ~~For~~ for any person convicted of a second offense of violating  
18 Subsection A or B of this Section, the offender may only operate a vessel that  
19 employs a vessel monitoring system for the three years after the date of the  
20 conviction. For any person convicted of a third or subsequent offense of violating  
21 Subsection A or B of this Section, the offender may only operate a vessel that  
22 employs a vessel monitoring system for ten years after the date of the conviction.

23 \* \* \*

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DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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HB 661 Original

2024 Regular Session

Bryant

**Abstract:** Requires freshwater charter boat fishing guides to have a United States Coast Guard captain's license in addition to the state charter boat fishing guide license and

establishes a fine for a first offense violation of charter fishing licensing requirements.

Present law requires charter boat fishing guides to have a charter boat fishing guide license.

Present law further requires that saltwater charter boat fishing guides also have a U.S. Coast Guard captain's license and that the Dept. of Wildlife and Fisheries provided written notice to freshwater charter boat fishing guides that they may be subject to other legal requirements, including holding a U.S. Coast Guard captain's license.

Proposed law requires freshwater charter boat fishing guides to also have a U.S. Coast Guard captain's license and removes the requirement that the Dept. of Wildlife and Fisheries provide them written notice of the requirement.

Present law provides that a person violating the license requirements for charter fishing for a second time will only be allowed to operate a vessel with a monitoring system for three years, and for a third time will only be allowed to operate a vessel with a monitoring system for 10 years.

Proposed law adds that the penalty for a first offense violation of the charter fishing licensing requirements is a fine of up to \$1000.

(Amends R.S. 56:302.9(A)(1)(b) and (3) and (J)(1))