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

DIGEST 2019 Regular Session

Allain

SB 178 Original

<u>Proposed law</u> defines the following terms:

- (1) "Commissioner" means the Louisiana commissioner of agriculture and forestry.
- (2) "Embedded software" means any programmable instructions delivered with the farm equipment and all relevant patches and fixes.
- (3) "Farm equipment" means equipment, other than a motor vehicle, that is used or intended for use in a farm or ranch operation, including any combine, tractor, implement, engine, motor, or attachment.
- (4) "Farm equipment dealer" means an individual or entity that is engaged in the business of selling or leasing new farm equipment and the diagnosis, service, maintenance, or repair of farm equipment.
- (5) "Motor vehicle" means any vehicle that is designed for transporting persons or property on a street or highway.
- (6) "Owner" means an individual or entity that owns or leases farm equipment purchased or used in this state.

<u>Proposed law</u> requires a farm equipment dealer to make available for purchase on fair and reasonable terms to an owner of farm equipment the following:

- (1) Farm equipment parts and updates to embedded software.
- (2) Electronic diagnostic repair equipment.

<u>Proposed law</u> requires the commissioner to administer and enforce the provisions of <u>proposed law</u>, collect, administer, and disburse the proceeds of the penalties collected, and seek and obtain injunctive or other civil relief to restrain and prevent violations.

<u>Proposed law</u> subjects a farm equipment dealer that violates any provision of <u>proposed law</u> to a civil penalty of not more than \$500 for each violation.

<u>Proposed law</u> authorizes the commissioner to assess penalties based upon an adjudicatory hearing held in accordance with the provisions of the APA.

Effective January 1, 2020.

(Adds R.S. 3:3691-3694)