

2023 Regular Session

HOUSE BILL NO. 627

BY REPRESENTATIVE KERNER

SEAFOOD: Provides relative to a fee increase for the Imported Seafood Safety Fund

1 AN ACT

2 To amend and reenact R.S. 40:5.10.1 and 31.35(C), relative to the Imported Seafood Safety
3 Fund; to increase the fee for holders of a commercial seafood permit; to provide for
4 the collection of fees; to provide for testing of imported seafood; to provide for the
5 appropriation of monies in the fund; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 40:5.10.1 and 31.35(C) are hereby amended and reenacted to read
8 as follows:

9 §5.10.1. Imported Seafood Safety Fund

10 A. There is hereby created in the state treasury a special fund designated as
11 the Imported Seafood Safety Fund, referred to hereafter in this Section as the "fund".
12 After allocation of money to the Bond Security and Redemption Fund as provided
13 in Article VII, Section 9(B) of the Constitution of Louisiana, the treasurer shall
14 deposit in and credit to the fund monies collected pursuant to R.S. 40:31.35(C).
15 Monies in the fund shall be invested in the same manner as monies in the state
16 general fund. Interest earned on investment of monies shall be deposited in and
17 credited to the fund. Unexpended and unencumbered monies in the fund shall
18 remain in the fund. Monies in the fund shall be appropriated to the office of public

1 health of the Louisiana Department of Health and used exclusively as provided in
2 this Section.

3 B. The monies in the fund shall be appropriated and expended solely for the
4 purpose of sampling, analysis, testing, and monitoring of raw seafood products of
5 foreign origin that are imported into Louisiana and stored on the premises of any
6 business holding a commercial seafood permit issued pursuant to R.S. 40:31.35. The
7 ~~office of public health of the Louisiana Department of Health~~ Louisiana State
8 University Agricultural Center shall directly administer or contract for such
9 sampling, analysis, testing, and monitoring functions. The ~~office of public health~~
10 Louisiana State University Agricultural Center shall employ such functions to detect
11 in imported seafood products the presence of substances that are harmful to human
12 health. The ~~state health officer~~ Louisiana State University Agricultural Center shall
13 determine the specific types of such sampling, analysis, testing, and monitoring
14 functions to be implemented as well as the frequency and scope of these activities,
15 all of which ~~he~~ it may modify based upon the availability of funding for these
16 purposes. The Louisiana State University Agricultural Center shall report test results
17 to the department and the department shall be responsible for enforcement of any
18 applicable sanitary code provisions.

19 * * *

20 §31.35. Commercial seafood permit fee

21 * * *

22 C. The department shall charge and collect an imported seafood safety fee
23 of one hundred and twenty-five dollars annually from each holder of a commercial
24 seafood permit ~~fee~~ who sells imported seafood. The proceeds of such fee shall be
25 used for the purposes described in R.S. 40:5.10.1.

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)]

HB 627 Engrossed

2023 Regular Session

Kerner

Abstract: Increases the imported seafood safety fee and designates the Louisiana State University Agricultural Center as the entity that will perform testing of imported seafood.

Present law appropriates funds collected from each holder of a commercial seafood permit who sells imported seafood in La. to the La. Department of Health (LDH) to fund the testing of imported seafood for substances harmful to human health. Present law further provides that LDH is responsible for collecting the fees and conducting the testing of the imported seafood.

Proposed law requires LSU Ag. Center to directly administer or outsource sampling, analysis, testing, and monitoring functions. Proposed law further requires LSU Ag. Center to determine the specific types of sampling, analysis, testing, and monitoring functions to be implemented in addition to the frequency and scope of these activities.

Proposed law requires the LSU Ag. Center report test results to the department and specifies that the department is responsible for enforcement of any applicable sanitary code provisions.

Present law provides for a \$100 fee on each holder of a commercial seafood permit who sells imported seafood in La. to fund the Imported Seafood Safety Fund.

Proposed law increases the fee from \$100 to \$125.

(Amends R.S. 40:5.10.1 and 31.35(C))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Natural Resources and Environment to the original bill:

1. Change LSU Health Sciences Center to LSU Agricultural Center as the entity performing testing.
2. Restore LDH as the department receiving funds appropriated in the imported seafood safety fund and receiving funds collected from the commercial seafood permit fee.