

2015 Regular Session

HOUSE BILL NO. 310

BY REPRESENTATIVE MACK

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

AGRICULTURE: Provides relative to the regulation of seed dealers

1 AN ACT

2 To amend and reenact R.S. 3:1437 and 1448, relative to fees for the seed industry; to
3 increase seed dealer license and regulatory fees; to modify who is subject to register
4 as a seed dealer; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 3:1437 and 1448 are hereby amended and reenacted to read as
7 follows:

8 §1437. Registration of seed dealers

9 A. Every person, except persons exempt by R.S. 3:1445, who labels, sells,
10 ~~distributes, or offers,~~ or handles for sale in or distributes to Louisiana, agricultural,
11 vegetable, or flower seeds or other propagating stock of one pound or more in weight
12 shall register with the commissioner as a seed dealer. Every seed dealer shall
13 register the number and location of each place of business at which the seeds are
14 labeled, sold, distributed, or offered or handled for sale. The commissioner shall
15 issue to the registered seed dealer a license to engage in the business.

16 B. The commissioner shall issue a license on an annual basis with licenses
17 expiring on the first day of July of each year following the issuance date. The
18 commissioner shall establish the fee for the license. The fee shall be established by
19 rule adopted in accordance with the Administrative Procedure Act. The amount of
20 the fee shall not exceed ~~one~~ two hundred dollars.

21 * * *

1 §1448. Regulatory fee

2 The commission may charge a regulatory fee on all seeds sold in Louisiana.

3 The fee shall be established by rule adopted in accordance with the Administrative

4 Procedure Act. The proceeds of the fee shall be used to defray the costs of

5 regulating the seed industry in Louisiana. The fee shall be collected at the first point

6 of sale in Louisiana. The amount of the fee shall be based on the cost of regulating

7 the seed industry and shall not exceed ~~twenty~~ thirty cents per one hundred pounds

8 of seed.

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 310 Original

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Abstract: Increases seed dealer license and regulatory fees on all seeds sold in La. Modifies who has to register as a seed dealer.

Present law requires every person who sells, distributes, offers, or handles for sale agricultural, vegetable, or flower seeds or other propagating stock of one pound or more in weight to register with the commissioner as a seed dealer. Proposed law modifies present law by making the registration process applicable to persons who label, sell, offer, or handle for sale in or distribute to La., agricultural, vegetable, or flower seeds or other propagating stock of one pound or more in weight.

Present law authorizes the commissioner to establish by rule, adopted in accordance with the Administrative Procedure Act (APA), a seed dealer license fee up to \$100 per license. Proposed law increases the fee range from up to \$100 to up to \$200 per license.

Present law authorizes the commission to establish by rule, adopted in accordance with the APA, a regulatory fee on all seeds sold in La. up to .20¢ per 100 pounds of seed. Proposed law increases the fee range from up to .20¢ to up to .30¢ per 100 pounds of seed.

(Amends R.S. 3:1437 and 1448)