

2016 Regular Session

HOUSE BILL NO. 523

BY REPRESENTATIVE ROBBY CARTER

AN ACT

To amend and reenact R.S. 3:4156(2), 4159(A), and 4160(A) and to repeal R.S. 3:4156(3) and 4158, relative to the Dairy Industry Promotion Law; to provide for the removal of referendum criteria from the Dairy Industry Promotion Board; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 3:4156(2), 4159(A), and 4160(A) are hereby amended and reenacted to read as follows:

§4156. Powers and duties of the board

The board may:

* * *

(2) Establish and impose assessments on the sale of milk solids, milk fats, and fluid milk components, subject to the limitations contained in ~~R.S. 3:4158 and~~ R.S. 3:4159.

* * *

§4159. Assessment

A. The board is hereby authorized to levy an assessment not to exceed ten cents per hundredweight, or equivalent thereof, on all milk solids, milk fats, or fluid milk components sold. The assessment shall be due and payable at the first point of sale. The assessment shall be paid by each dairy producer who sells milk solids, milk fats, or fluid milk components to dairy cooperative associations, processors, or distributors. ~~No assessment shall be levied or collected until approved by a majority of dairy producers voting in a referendum conducted in accordance with R.S. 3:4158.~~

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§4160. Failure to pay assessment; penalty

A. Each dairy cooperative association, processor, or distributor who fails to file any report required by the board or to pay the assessment ~~authorized in R.S. 3:4159 after approval in a referendum of dairy producers~~ within the time prescribed by this Part shall forfeit to the commissioner the amount of the assessment plus a penalty of ten percent of the assessment due, plus one percent of the assessment due for each month, or fraction thereof, of delay after the due date for payment of the assessment.

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Section 2. R.S. 3:4156(3) and 4158 are hereby repealed in their entirety.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____