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4 SYNOPSIS:

5 Under existing law, a seafood dealer must
6 purchase a license to lawfully operate in this state.

7 This bill would increase the fee charged to be
8 issued a license and further provide for the
9 distribution of a portion of these fees collected to
10 promote this state's seafood products.

11 This bill would also make nonsubstantive,
12 technical revisions to update the existing code
13 language to current style.
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17 A BILL
18 TO BE ENTITLED
19 AN ACT
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21 Relating to seafood; to amend Section 9-12-125 of the
22 Code of Alabama 1975, to increase the seafood dealer licensure
23 fee; to provide for the distribution of a portion thereof to
24 promote this state's seafood products; and to make
25 nonsubstantive, technical revisions to update the existing
26 code language to current style.

27 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

28 Section 1. Section 9-12-125, Code of Alabama 1975, is



amended to read as follows:

"§9-12-125

(a) (1) Any person, ~~firm, or corporation~~ who engages in the selling, brokering, trading, bartering, or processing of any fresh or frozen seafood, whether on a consignment basis or otherwise, is a seafood dealer and shall purchase a seafood ~~dealer's~~ dealer license for a fee of ~~two hundred dollars~~ ~~(\$200)~~ four hundred dollars (\$400) for Alabama residents domiciled for a period of more than one continuous year immediately preceding the date of issuance and ~~four hundred dollars~~ ~~(\$400)~~ six hundred dollars (\$600) for nonresidents, except for residents of states which charge Alabama residents in excess of ~~four hundred dollars~~ ~~(\$400)~~ six hundred dollars (\$600) for the activity, in which case ~~it~~ the fee shall be the amount the other state charges.

(2) To obtain ~~the~~ a license, all entities other than brokers shall have and present proof of a business license from the location of the business, a tax identification number, and the appropriate seafood processing health permit.

~~This~~ (3) A license is not required by nonresident seafood dealers buying from or selling to a licensed Alabama seafood dealer or licensed commercial fishermen when selling their catch to a licensed Alabama seafood dealer nor is a license required by restaurants where the seafood is cooked and sold for consumption on or off ~~its~~ the restaurant's premises. Restaurants shall not purchase ~~seafoods~~ seafood from any person, ~~firm, or corporation~~ that is not licensed to sell ~~seafoods~~ seafood in ~~Alabama~~ this state.



57 (4) If ~~the~~ a licensee owns or operates more than one
58 place of business, ~~then an~~ additional ~~dealer's licenses must~~
59 license shall be purchased for each separate place of
60 business, providing the location of each. A vehicle used
61 solely for transporting ~~seafoods~~ seafood to or from an Alabama
62 seafood dealer is not considered a place of business. Each
63 vehicle from which seafood is sold to or purchased from any
64 person, ~~firm, or corporation~~ other than an Alabama seafood
65 dealer, is a place of business and shall be licensed under
66 this section. ~~The~~ A seafood dealer shall purchase a license
67 for each such vehicle for a fee of ~~one hundred dollars (\$100)~~
68 three hundred dollars (\$300) per license and the operator of
69 the vehicle shall have the original license in his or her
70 possession when selling or buying seafood from that vehicle.
71 Seafood dealers may purchase ~~seafoods~~ seafood only from
72 commercial fishermen validly licensed in Alabama, Alabama
73 seafood dealers, and any nonresident seller who is validly
74 licensed to sell ~~seafoods~~ seafood under the laws of that
75 state.

76 (5) It shall be unlawful for any person, ~~firm, or~~
77 ~~corporation~~ to sell, broker, trade, barter, or process
78 ~~seafoods~~ seafood as provided for in this section without first
79 purchasing a seafood ~~dealer's~~ dealer license. Any person,
80 ~~firm, or corporation~~ violating this section ~~shall~~, upon
81 conviction, shall be guilty of a Class A misdemeanor, with a
82 minimum mandatory fine of one thousand dollars (\$1,000) for a
83 first ~~offenses~~ offense, two thousand five hundred dollars
84 (\$2,500) for a second ~~offenses~~ offense within three years of



85 the date of the first conviction, and five thousand dollars
86 (\$5,000) and a mandatory jail sentence of 10 to 30 days for
87 ~~conviction of~~ a third and any subsequent ~~offenses~~ offense
88 within three years of the date of the first conviction.

89 (b) The Department of Conservation and Natural
90 Resources shall annually remit two hundred dollars (\$200) of
91 each seafood dealer license fee collected to the nonprofit
92 corporation Sweet Grown Alabama for the promotion of this
93 state's seafood products."

94 Section 2. This act shall become effective on October
95 1, 2025.