

HB1 ENGROSSED



1 HB1
2 EJJNGCC-2
3 By Representative Brown
4 RFD: Ports, Waterways and Intermodal Transit
5 First Read: 04-Feb-25
6 PFD: 08-Jul-24



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A BILL

TO BE ENTITLED

AN ACT

Relating to seafood; to amend Section 9-12-125 of the Code of Alabama 1975, to increase the seafood dealer licensure fee; to provide for the distribution of a portion thereof to promote this state's seafood products; and to make nonsubstantive, technical revisions to update the existing code language to current style.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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



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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.

(4) If ~~the~~ a licensee owns or operates more than one place of business, ~~then an additional dealer's licenses must~~ license shall be purchased for each separate place of business, providing the location of each. A vehicle used solely for transporting ~~seafoods~~ seafood to or from an Alabama seafood dealer is not considered a place of business. Each vehicle from which seafood is sold to or purchased from any person, ~~firm, or corporation~~ other than an Alabama seafood dealer, is a place of business and shall be licensed under this section. ~~The~~ A seafood dealer shall purchase a license for each such vehicle for a fee of ~~one hundred dollars (\$100)~~ three hundred dollars (\$300) per license and the operator of



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the vehicle shall have the original license in his or her possession when selling or buying seafood from that vehicle. Seafood dealers may purchase ~~seafoods~~ seafood only from commercial fishermen validly licensed in Alabama, Alabama seafood dealers, and any nonresident seller who is validly licensed to sell ~~seafoods~~ seafood under the laws of that state.

(5) It shall be unlawful for any person, ~~firm, or corporation~~ to sell, broker, trade, barter, or process ~~seafoods~~ seafood as provided for in this section without first purchasing a seafood ~~dealer's~~ dealer license. Any person, ~~firm, or corporation~~ violating this section ~~shall~~, upon conviction, shall be guilty of a Class A misdemeanor, with a minimum mandatory fine of one thousand dollars (\$1,000) for a ~~first-offenses~~ offense, two thousand five hundred dollars (\$2,500) for a ~~second-offenses~~ offense within three years of the date of the first conviction, and five thousand dollars (\$5,000) and a mandatory jail sentence of 10 to 30 days for ~~conviction of~~ a third and any subsequent ~~offenses~~ offense within three years of the date of the first conviction.

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

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



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House of Representatives

87 Read for the first time and referred04-Feb-25
88 to the House of Representatives
89 committee on Ports, Waterways and
90 Intermodal Transit
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92 Read for the second time and placed20-Feb-25
93 on the calendar:
94 0 amendments
95
96 Read for the third time and passed01-Apr-25
97 as amended
98 Yeas 95
99 Nays 0
100 Abstains 8
101
102
103 John Treadwell
104 Clerk
105