## 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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5	A BILL
6	TO BE ENTITLED
7	AN ACT
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9	Relating to seafood; to amend Section 9-12-125 of the
10	Code of Alabama 1975, to increase the seafood dealer licensure
11	fee; to provide for the distribution of a portion thereof to
12	promote this state's seafood products; and to make
13	nonsubstantive, technical revisions to update the existing
14	code language to current style.
15	BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:
16	Section 1. Section 9-12-125, Code of Alabama 1975, is
17	amended to read as follows:
18	<b>"</b> §9-12-125
19	(a)(1) Any person, firm, or corporation who engages in
20	the selling, brokering, trading, bartering, or processing of
21	any fresh or frozen seafood, whether on a consignment basis or
22	otherwise, is a seafood dealer and shall purchase a seafood
23	dealer's dealer license for a fee of two hundred dollars
24	(\$200) four hundred dollars (\$400) for Alabama residents
25	domiciled for a period of more than one continuous year
26	immediately preceding the date of issuance and four hundred
27	dollars (\$400) six hundred dollars (\$600) for nonresidents,
28	except for residents of states which charge Alabama residents

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in excess of <u>four hundred dollars (\$400)</u> six hundred dollars

(\$600) for the activity, in which case <u>it</u> 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.

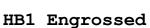
This (3) A license is not required by nonresident seafood dealers buying from or selling to a licensed Alabama seafood dealer or licensed commercial fishermen when selling their catch to a licensed Alabama seafood dealer nor is a license required by restaurants where the seafood is cooked and sold for consumption on or off its the restaurant's premises. Restaurants shall not purchase seafoods 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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- 57 the vehicle shall have the original license in his or her
- 58 possession when selling or buying seafood from that vehicle.
- 59 Seafood dealers may purchase—seafoods seafood only from
- 60 commercial fishermen validly licensed in Alabama, Alabama
- 61 seafood dealers, and any nonresident seller who is validly
- 62 licensed to sell-seafoods seafood under the laws of that
- 63 state.
- (5) It shall be unlawful for any person, firm, or
- 65 corporation to sell, broker, trade, barter, or process
- 66 seafoods seafood as provided for in this section without first
- 67 purchasing a seafood dealer's dealer license. Any person,
- 68 firm, or corporation violating this section shall, upon
- 69 conviction, shall be guilty of a Class A misdemeanor, with a
- 70 minimum mandatory fine of one thousand dollars (\$1,000) for a
- 71 first-offenses offense, two thousand five hundred dollars
- 72 (\$2,500) for a second-offenses offense within three years of
- 73 the date of the first conviction, and five thousand dollars
- 74 (\$5,000) and a mandatory jail sentence of 10 to 30 days for
- 75 conviction of a third and any subsequent offenses offense
- 76 within three years of the date of the first conviction.
- 77 (b) The Department of Conservation and Natural
- 78 Resources shall annually remit two hundred dollars (\$200) of
- 79 each seafood dealer license fee collected to the nonprofit
- 80 corporation Sweet Grown Alabama for the promotion of this
- 81 state's seafood products."
- 82 Section 2. This act shall become effective on October
- 83 1, 2025.





84 85 86 House of Representatives Read for the first time and referred ......04-Feb-25 87 to the House of Representatives 88 committee on Ports, Waterways and 89 Intermodal Transit 90 91 Read for the second time and placed ......20-Feb-25 92 93 on the calendar: 94 0 amendments 95 96 Read for the third time and passed ......01-Apr-25

as amended 97

Yeas 95 98 99 Nays 0 Abstains 8 100 101

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102 103 John Treadwell Clerk 104