

## HB1 ENROLLED



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



## HB1 Enrolled

Enrolled, 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) a. 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 sixty-five dollars (\$465) for Alabama residents domiciled for a period of more than one continuous year immediately preceding the date of issuance and ~~four hundred dollars (\$400)~~ seven hundred thirty dollars (\$730) for nonresidents, except for residents of states which charge Alabama residents in excess of ~~four hundred dollars (\$400)~~ seven hundred thirty dollars (\$730) for the activity, in which case ~~it~~ the fee shall be the amount the other state charges.

b. Notwithstanding paragraph a., a state resident who possesses a valid license or permit issued pursuant to Section 9-12-113 shall purchase a seafood dealer license for a fee of



## HB1 Enrolled

29 two hundred sixty-five dollars (\$265).

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

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

43 (4) If~~the~~ a licensee owns or operates more than one  
44 place of business, ~~then an additional dealer's licenses must~~  
45 license shall be purchased for each separate place of  
46 business, providing the location of each. A vehicle used  
47 solely for transporting~~seafoods~~ seafood to or from an Alabama  
48 seafood dealer is not considered a place of business. Each  
49 vehicle from which seafood is sold to or purchased from any  
50 person, ~~firm, or corporation~~ other than an Alabama seafood  
51 dealer, is a place of business and shall be licensed under  
52 this section. ~~The~~ A seafood dealer shall purchase a license  
53 for each such vehicle for a fee of~~one hundred dollars (\$100)~~  
54 three hundred thirty-three dollars (\$333) per license and the  
55 operator of the vehicle shall have the original license in his  
56 or her possession when selling or buying seafood from that



## HB1 Enrolled

57 vehicle. Seafood dealers may purchase ~~seafoods~~ seafood only  
58 from commercial fishermen validly licensed in Alabama, Alabama  
59 seafood dealers, and any nonresident seller who is validly  
60 licensed to sell ~~seafoods~~ seafood under the laws of that  
61 state.

62 (5) It shall be unlawful for any person, ~~firm, or~~  
63 ~~corporation~~ to sell, broker, trade, barter, or process  
64 ~~seafoods~~ seafood as provided for in this section without first  
65 purchasing a seafood ~~dealer's~~ dealer license. Any person,  
66 ~~firm, or corporation~~ violating this section ~~shall~~, upon  
67 conviction, shall be guilty of a Class A misdemeanor, with a  
68 minimum mandatory fine of one thousand dollars (\$1,000) for a  
69 ~~first-offenses~~ offense, two thousand five hundred dollars  
70 (\$2,500) for a second-offenses offense within three years of  
71 the date of the first conviction, and five thousand dollars  
72 (\$5,000) and a mandatory jail sentence of 10 to 30 days for  
73 ~~conviction of~~ a third and any subsequent ~~offenses~~ offense  
74 within three years of the date of the first conviction.

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

80 Section 2. This act shall become effective on October  
81 1, 2025.



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Speaker of the House of Representatives

President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in and was passed by the House 01-Apr-25, as amended.

John Treadwell  
Clerk

Senate	<u>07-May-25</u>	Amended and Passed
House	<u>07-May-25</u>	Concurred in Senate Amendment