

HB39 INTRODUCED



1 HB39
2 84Z1YF2-1
3 By Representative Brown
4 RFD: Ports, Waterways and Intermodal Transit
5 First Read: 13-Jan-26
6 PFD: 28-Aug-25



SYNOPSIS:

Under existing law, persons that engage in selling, brokering, trading, bartering, or processing of any fresh or frozen seafood must purchase a seafood dealer license.

This bill would further provide for the license fee to be paid by state residents who already hold other licenses authorizing the taking of certain seafood.

This bill would also provide for it to be retroactive and curative.

A BILL
TO BE ENTITLED
AN ACT

Relating to seafood dealer licenses; to amend Section 9-12-125, as last amended by Act 2025-445, 2025 Regular Session, Code of Alabama 1975, to further provide for the license fee paid by certain applicants; and to provide that this act is retroactive and curative.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 9-12-125, as last amended by Act 2025-445, 2025 Regular Session, Code of Alabama 1975, is



HB39 INTRODUCED

amended to read as follows:

"§9-12-125

(a)(1)a. Any person 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 license for a fee of 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 seven hundred thirty dollars (\$730) for nonresidents, except for residents of states which charge Alabama residents in excess of seven hundred thirty dollars (\$730) for the activity, in which case 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 [9-12-82](#), [9-12-87](#), [9-12-93](#), [9-12-113](#), or [9-12-124](#) shall purchase a seafood dealer license for a fee of two hundred sixty-five dollars (\$265).

(2) To obtain 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.

(3) A license is not required by nonresident seafood dealers buying from or selling to a licensed Alabama seafood dealer or [a](#) licensed commercial ~~fishermen~~ [fisherman](#) when selling their catch to a licensed Alabama seafood dealer nor is a license required by restaurants where the seafood is



HB39 INTRODUCED

57 cooked and sold for consumption on or off the restaurant's
58 premises. Restaurants shall not purchase seafood from any
59 person that is not licensed to sell seafood in this state.

60 (4) If a licensee owns or operates more than one place
61 of business, an additional license shall be purchased for each
62 separate place of business, providing the location of each. A
63 vehicle used solely for transporting seafood to or from an
64 Alabama seafood dealer is not considered a place of business.
65 Each vehicle from which seafood is sold to or purchased from
66 any person, other than an Alabama seafood dealer, is a place
67 of business and shall be licensed under this section. A
68 seafood dealer shall purchase a license for each such vehicle
69 for a fee of three hundred thirty-three dollars (\$333) per
70 license and the operator of the vehicle shall have the
71 original license in his or her possession when selling or
72 buying seafood from that vehicle. Seafood dealers may purchase
73 seafood only from commercial fishermen validly licensed in
74 Alabama, Alabama seafood dealers, and any nonresident seller
75 who is validly licensed to sell seafood under the laws of that
76 state.

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



HB39 INTRODUCED

conviction, and five thousand dollars (\$5,000) and a mandatory jail sentence of 10 to 30 days for a third and any subsequent 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 is retroactive and curative and shall apply to any license issued pursuant to Section 9-12-125, Code of Alabama 1975, on or after October 1, 2025.

Section 3. This act shall become effective immediately.