

House Bill 1088

By: Representatives Ray of the 128th, Royal of the 164th and Purcell of the 147th

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 10 of Chapter 2 of Title 26 of the Official Code of Georgia Annotated,
2 relating to fish and other seafoods, so as to change the provisions relating to fees for a
3 nonresident or alien wholesale fish dealer; to provide for reciprocal agreements; to repeal
4 conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 Article 10 of Chapter 2 of Title 26 of the Official Code of Georgia Annotated, relating to fish
8 and other seafoods, is amended by striking Code Section 26-2-312, relating to licensing of
9 wholesale fish dealers, and inserting in its place the following:

10 "26-2-312.

11 (a) No person, firm, association of persons, or corporation shall be authorized or permitted
12 to engage in the business of wholesale fish dealer in this state without first having paid to
13 the Commissioner of Agriculture the annual license fees required in this Code section and
14 having procured a license from the Commissioner authorizing such person to engage in the
15 business of wholesale fish dealer. The annual license fee applicable to and required of
16 wholesale fish dealers shall be as follows:

17 (1) The annual license fee for each resident wholesale fish dealer shall be \$50.00 for
18 each place of business, fixed or movable;

19 (2) The annual license fee for each nonresident or alien wholesale fish dealer shall be
20 \$50.00 ~~until July 1, 1988, and \$500.00 on and after July 1, 1988,~~ for each place of
21 business, fixed or movable, provided that the annual license fee for each nonresident or
22 alien wholesale fish dealer who is a resident of a state which charges Georgia resident
23 wholesale fish dealers a fee in excess of \$50.00 shall be ~~\$50.00 on and after July 1, 1988,~~
24 ~~for each such dealer who is a resident of a state which has entered into a reciprocal~~
25 ~~agreement with the Commissioner of Agriculture of the State of Georgia to limit the fees~~
26 ~~which such state charges to Georgia residents who are wholesale fish dealers to not more~~

1 ~~than \$50.00 per annum~~ the same as the fee such state charges Georgia resident wholesale
2 fish dealers for each place of business, fixed or movable. The Commissioner of
3 Agriculture of the State of Georgia may enter into a reciprocal agreement with any other
4 state to limit the fees such state charges a Georgia resident who operates as a wholesale
5 fish dealer or its equivalent in such other state.

6 (b) Each truck or movable unit from which fish are sold at wholesale shall be deemed a
7 place of business within the meaning of this article.

8 (c) A resident who produces the fish and other seafood he or she sells at retail or wholesale
9 shall not be required to pay the license fee provided in paragraph (1) of subsection (a) of
10 this Code section; nor shall any commercial fisherman licensed to catch fish or seafood by
11 the state game and fish laws, rules, and regulations be required to pay the license fee
12 provided for in this Code section."

13 **SECTION 2.**

14 All laws and parts of laws in conflict with this Act are repealed.