ALCOHOLIC BEVERAGES: Provides relative to delivery of alcohol

AN ACT

To amend and reenact R.S. 26:274(A)(2), relative to alcohol beverage control; to provide relative to permits for dealers in beverages of low alcohol content; to provide relative to local permits; to provide for exceptions for delivery; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 26:274(A)(2) is hereby amended and reenacted to read as follows:

§274. Local permits

A.(1) Parishes and municipalities may issue and require local permits similar to those issued by the commissioner and may charge and collect fees therefor. No parish or municipality shall require permits of any commercial airline which has been issued a Class B retailer permit.

(2) Parishes and municipalities may issue and require local permits similar to those issued by the commissioner for the delivery of alcoholic beverages by grocery stores, restaurants, and third parties. Parishes and municipalities shall not require a local permit for any third-party delivery company which has been issued a state delivery service permit in accordance with the provisions of this Chapter. Parish and municipalities shall not require an additional local permit for the delivery of alcohol beverages by any licensed retail dealer that has been issued a state delivery service permit in accordance with the provisions of this Chapter. No
alcoholic beverages shall be delivered more than twenty miles from the place of purchase.

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DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 551 Engrossed 2022 Regular Session 11g

Abstract: Prohibits parishes and municipalities from requiring local permits for the delivery of alcoholic beverages by third-party permit holders.

Present law (R.S. 26:274) provides that parishes and municipalities may issue and require local permits and may charge and collect fees for such permits. Present law prohibits parishes or municipalities from requiring permits for any commercial airline that has been issued a Class B retailer permit.

Present law provides that parishes and municipalities may issue permits similar to those issued by the commissioner for the alcoholic beverage delivery by grocery stores, restaurants, and third parties.

Proposed law retains present law and provides that parishes and municipalities shall not require local permits for the delivery of alcoholic beverages of any licensed third-party delivery companies that have been issued a delivery service permit by the state.

Present law (R.S. 26:271.4) provides for the issuing of Class B Package House permits allowing for the delivery of alcohol by grocery stores.

Present law (R.S. 26:271.3) provides for the issuance of Class C Package Store permits to establishments that meet certain requirements including selling alcoholic beverages for off-premise consumption and not distributing motor fuel at the licensed establishment.

Proposed law prohibits the delivery of alcoholic beverages more than 20 miles from the place of purchase.

(Amends R.S. 26:274(A)(2))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Judiciary to the original bill:

1. Change the proposed law exemption from local permits for Class A, B, and C retailers to an exemption for all third-party delivery companies that have been issued a state permit.

2. Prohibit delivery more than 20 miles from the place of purchase.

CODING: Words in struck through type are deletions from existing law; words underscored are additions.