

SENATE SUMMARY OF HOUSE AMENDMENTS

SB 215

2016 Regular Session

Carter

KEYWORD AND SUMMARY AS RETURNED TO THE SENATE

ADMINISTRATIVE PROCEDURE. Provides for appeals by holders of a tobacco permit. (gov sig)

SUMMARY OF HOUSE AMENDMENTS TO THE SENATE BILL

1. Reinstates right to a suspensive appeal of the commissioner's decision.
2. Adds a fine of up to \$5,000 upon a finding by the court that the suspensive appeal is frivolous.
3. Technical amendments.

DIGEST OF THE SENATE BILL AS RETURNED TO THE SENATE

DIGEST

SB 215 Reengrossed

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Present law provides that any party aggrieved by a decision of the commissioner to withhold, suspend, or revoke a permit may, within 30 days of the notification of the decision, take a devolutive or suspensive appeal to the district court having jurisdiction of the applicant's or permittee's place of business.

Proposed law reduces the time from 30 days to 10 days after proper notification of the commissioner's decision for an applicant's appeal to a district court having jurisdiction of the applicant's place of business.

Proposed law adds that a suspensive appeal granted pursuant to present law that does not result in the reversal of a decision of the commissioner to withhold, suspend, or revoke a permit may subject the appellant to a fine of up to \$5,000 upon a finding by the court that the appeal is frivolous.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 26:920(B) and (C))

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