



Proposed law allows a retail dealer to enter into a written agreement with a third party for the sale of alcoholic beverages through the internet or mobile application platform and the delivery of alcoholic beverages by submitting written notification to the commissioner of its intent to utilize the services of a third party.

Proposed law places the following restrictions on the third party entities a retail dealer may contract with:

- (1) The third party must be registered and authorized to do business in this state.
- (2) The third party cannot hold a Louisiana alcoholic beverage permit of any class or type.
- (3) The third party display the retail dealer's registered trade name on all websites, mobile applications, and advertisements associated with the sale and delivery of the alcoholic beverages.

Proposed law allows a retail dealer to pay the third party a fee for its services and further allows the third party to charge a reasonable delivery fee.

Proposed law requires the full amount of each order of alcoholic beverages to ultimately be in the complete control of a retail dealer, but allows a third party to collect payment from the sale of alcoholic beverages as an agent of a retail dealer.

Proposed law provides that all deliveries made by a third party are subject to the same restrictions as deliveries made by a retail dealer.

Proposed law provides that a retail dealer is responsible for all unlawful deliveries of alcoholic beverages and all violations caused by a third party while the third party is acting on behalf of the retail dealer.

Proposed law requires a retail dealer to:

- (1) Determine what alcoholic beverages will be offered for sale through a third party.
- (2) Determine the price of all alcoholic beverages offered for sale through a third party.
- (3) Accept or reject all orders for alcoholic beverages placed through a third party's internet or mobile application platform.
- (4) Collect and remit all applicable taxes.

Effective August 1, 2018.

(Adds R.S. 26:153 and 307)