



state, or by any political subdivision of a state authorized to issue permits or licenses, revoked within two years prior to the application, or been convicted or had a judgment of court rendered against the applicant involving the sale or service of alcoholic beverages by this or any other state or by the U.S. for two years prior to the application.

- (9) Have not been adjudged by the commissioner, or convicted by a court of violating any of the provisions of the Alcohol Beverage Control Law.
- (10) Have not been convicted of violating any municipal or parish ordinances adopted pursuant to the provisions of this Chapter. If the applicant has been so convicted, the granting of a permit or of a renewal shall be within the discretion of the commissioner.
- (11) Not be the spouse of a person who does not meet the requirements of (1) and (3) through (10) above, and (12) below. Provides that the age of the ineligible spouse shall be immaterial. Provides that for purposes of this standard, the term "spouse" shall also include persons who are considered married outside of the U.S., persons who ordinarily hold themselves out as husband and wife, or persons who file their state and federal income tax returns as either "married filing jointly" or "married filing separate".
- (12) Not owe the state or the local governmental subdivisions in which the application is made any delinquent sales taxes, penalties, or interest, excluding items under formal appeal.

Present law provides certain exceptions in the instances of a pardon, restoration of civil rights, etc. Also provides, as a further exception, that in the granting of a permit, a conviction or plea of guilty or nolo contendere by the applicant shall not constitute an automatic disqualification of the applicant as otherwise required pursuant to (5), (6), and (7) above, if all of the following criteria are met:

- (1) The felony for which the applicant was convicted is not a crime of violence.
- (2) Ten years or more have elapsed between the date of application and the successful completion of any sentence, deferred adjudication, or period of probation or parole and the final discharge of the defendant.

Proposed law provides a further exception. Provides that notwithstanding any other provision of present law, if the felony for which the applicant was convicted was not a crime of violence nor the crime of distributing or possessing with intent to distribute any controlled dangerous substance nor a sex offense, the applicant may be eligible to be manager or owner of a restaurant. Provides that to be eligible, the applicant shall not have any subsequent felony conviction, and three years or more for an owner or two years or more for a manager, have elapsed between the date of application and the successful completion of any sentence, deferred adjudication, or period of probation or parole and the final discharge of the defendant.

Proposed law requires the applicant to submit a letter to the commissioner of ATC requesting approval for employment at the location along with proof of compliance with proposed law. Prohibits the restaurant from employing the applicant until the commissioner approves the

applicant's request.

Effective August 1, 2020.

(Adds R.S. 26:80(F)(3) and 280(F)(3))