
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 85 Engrossed

2020 Second Extraordinary Session

Magee

Abstract: Creates the Bar Assistance Relief Program (BAR Program) within the La. Main Street Recovery Program (Main Street Program) and establishes the Bar Assistance Relief Subaccount (BAR Subaccount) within the La. Main Street Recovery Fund (Main Street Fund) to finance the BAR Program.

Present law establishes the Main Street Fund and Program, administered by the state treasurer, to provide grants to eligible small businesses. Proposed law retains Present law.

Proposed law establishes the BAR Program within the Main Street Program to provide economic support to eligible bars. Defines "eligible bar" as an establishment that, as of the effective date of proposed law, had "active permits" issued pursuant to R.S. 26:71.1(1) and 271(A)(2)(a) by the commissioner of alcohol and tobacco control and that meets all of the following criteria:

- (1) Was domiciled in Louisiana as of the effective date of proposed law.
- (2) Is at least 50% owned by one or more La. residents, whether individual resident citizens or La. domestic business entities.
- (3) Filed La. taxes for tax year 2018 or 2019, or, if an eligible business formed on or after Jan. 2020, intends to file La. taxes for tax year 2020.
- (4) Has customers or employees coming to its physical premises.
- (5) Had no more than 50 full-time equivalent employees as of the effective date of proposed law.
- (6) Is not a subsidiary of a business with more than 50 full-time equivalent employees, is not part of a larger business enterprise with more than 50 full-time equivalent employees, and is not owned by a business with more than 50 full-time equivalent employees.
- (7) As of the effective date of proposed law, has not received any of the following within the past eight calendar months:
 - (a) A United States Small Business Administration-Guaranty Paycheck Protection Program loan or a United States Small Business Administration Economic Injury Disaster Loan Emergency Advance.

(b) Funding through the La. Main Street Program.

(c) Compensation from an insurance company for interruption of business.

Further provides that for the purposes of proposed law, the phrase "active permit" shall mean a permit in good standing unless the validity of the permit has lapsed due to COVID hardship.

Proposed law provides that an eligible bar shall receive a grant equal to \$2,000.

Proposed law establishes the BAR Subaccount to fund the grants provided pursuant to proposed law. Requires the subaccount funds to be held separate and apart from the Main Street Fund monies and shall not be comprised of any monies from the CARES Act (P.L. 116-136). Further exempts the subaccount monies from being swept pursuant to present law on Dec. 1, 2020 with the other Main Street Fund monies.

Proposed law authorizes the treasurer to develop application forms to be used in operation of the BAR Program and to promulgate emergency rules for the administration of the program as part of the Main Street Program. Further authorizes the treasurer to enter into certain emergency procurements to implement the program.

Proposed law requires the treasurer to work with the Dept. of Revenue and the office of alcohol and tobacco control to implement the program. Further requires the treasurer to submit a report to the Joint Legislative Committee on the Budget by the 15th of each month a number of metrics on BAR Program performance, including the number of grant submissions, number of grants awarded, and the recipient of each grant.

Proposed law requires notice of the BAR Program and the availability of awards from the bar subaccount shall be provided to the commissioner of administration to be published on the web pages of each department in the executive branch, and the main pages for the legislative website.

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

(Amends R.S. 39:100.44(Q) and 100.45(A); Adds R.S. 39:100.42(6.1) and 100.44.1)