

2020 Second Extraordinary Session

HOUSE BILL NO. 72

BY REPRESENTATIVE STEFANSKI

FUNDS/FUNDING: Provides dedicated funding and requirements within the La. Main Street Recovery Program for certain establishments (Items #16, 17, 18, 19, and 20)

1 AN ACT

2 To amend and reenact R.S. 39:100.44(J), relative to the Louisiana Main Street Recovery
3 Program; to dedicate a certain portion of program funds for certain businesses; to
4 provide relative to calculation of award amounts; to provide an effective date; and
5 to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 39:100.44(J) is hereby amended and reenacted to read as follows:

8 §100.44. Louisiana Main Street Recovery Program

9 * * *

10 J.(1) Notwithstanding any provision of this Section to the contrary, the
11 treasurer shall ensure that within the first sixty days of the recovery program no less
12 than forty million dollars in grants, exclusive of administrative expenses, shall be
13 awarded to minority business enterprises.

14 (2)(a) Notwithstanding any provision of this Section to the contrary, the
15 treasurer shall ensure that a total of seven and one-half million million dollars shall
16 be awarded to bars that, as of September 29, 2020, had filed an application with the
17 recovery program. For the purposes of this Paragraph, the term "bar" shall mean a
18 for-profit corporation, a limited liability company, a partnership, or a sole
19 proprietorship that was domiciled in Louisiana as of March 16, 2020; had permits
20 issued pursuant to R.S. 26:71.1(1) and 271(A)(2)(a) by the commissioner of alcohol
21 and tobacco control as of March 16, 2020; and meets the criteria established pursuant

1 to R.S. 39:100.42(7)(b) through (j). Notwithstanding any provision of law to the
 2 contrary, any bar that filed an application in connection with the recovery program
 3 on or before September 29, 2020, and was disqualified because of a failure to meet
 4 the requirements of R.S. 39:100.42(7)(a) shall be entitled to have its application
 5 reviewed for an award pursuant to the provisions of this Paragraph.

6 (b) Notwithstanding any provision of law to the contrary, if the total amount
 7 of all monies provided for in Subparagraph (a) of this Paragraph has not been
 8 obligated by November 15, 2020, then remaining unobligated amounts shall be
 9 available for awards to eligible businesses that are not bars.

10 * * *

11 Section 2. The treasurer may continue to process applications and award grants for
 12 pending non-bar applications received as of the effective date of this Act, but may not award
 13 any grants to businesses that are not bars, as provided in R.S. 39:100.44(J)(2) as enacted in
 14 this Act, if such award will impinge upon any remaining amount allocated by this Act for
 15 bars.

16 Section 3. This Act shall become effective upon signature by the governor or, if not
 17 signed by the governor, upon expiration of the time for bills to become law without signature
 18 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
 19 vetoed by the governor and subsequently approved by the legislature, this Act shall become
 20 effective on the day following such approval.

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 72 Reengrossed

2020 Second Extraordinary Session

Stefanski

Abstract: Allocates \$7.5M of La. Main Street Recovery Program (Main Street Program) funds for bars.

Present law (R.S. 39:100.44) establishes the Main Street Program. Further establishes the La. Main Street Recovery Fund (Fund) to finance the grants awarded by the Main Street Program. Proposed law retains present law.

Proposed law requires a total of \$7.5M of monies in the Fund to be awarded to bars that filed an application with the Main Street Program on or before September 29, 2020.

Proposed law defines "bar" for the purposes of proposed law as a for-profit corporation, a limited liability company, a partnership, or a sole proprietorship that meets certain criteria, including being domiciled in La. as of March 16, 2020; possessing certain alcohol permits as of March 16, 2020, and meeting certain other conditions in present law. Further provides that any bar that filed an application with the Main Street Program on or before Sept. 29, 2020, and was disqualified because of certain present law provisions shall be entitled to have its application reviewed for an award pursuant to the provisions of proposed law.

Proposed law further provides that any unobligated monies in the Fund on Nov. 15, 2020, shall be available for awards to eligible businesses that are not bars.

Further provides that the treasurer may continue to process applications and award grants for pending non-bar applications received as of the effective date of proposed law but may not award any grants to businesses that are not bars, as defined in proposed law, if such award will impinge upon any remaining amount allocated by proposed law for bars.

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

(Amends R.S. 39:100.44(J))

Summary of Amendments Adopted by House

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

1. Change the date by which a qualifying bar must have been in possession of current permits awarded by the commissioner of alcohol and tobacco control from March 1, 2020, to March 16, 2020.
2. Provides that any bar meeting the qualifications of proposed law that had filed an application in connection with the Main Street Recovery Program and been disqualified may have its application reviewed for an award pursuant to proposed law.

The House Floor Amendments to the engrossed bill:

1. Lower the amount of funds allocated to bars from \$25M to \$7.5M.
2. Delete provisions capping the amount an award may be reduced due to receipt of federal relief or insurance proceeds.
3. Add provision requiring bar monies that remain unobligated on Nov. 15, 2020, to be used for awards to eligible businesses that are not bars.
4. Limit provisions of proposed law to bars that had filed an application with the Main Street Recovery Program on or before September 29, 2020.
5. Provide criteria for qualifying as a "bar" for the purposes of proposed law.
6. Authorize any establishment that filed an application with the Main Street Recovery Program on or before Sept. 20, 2020, and was disqualified pursuant to present law (R.S. 39:100.42(7)(a)) to have its application reviewed for an award pursuant to proposed law.