

2022 Regular Session

HOUSE BILL NO. 381

BY REPRESENTATIVE ROBERT OWEN

ALCOHOLIC BEVERAGES: Provides relative to acts prohibited on permitted premises under the Alcoholic Beverage Control Law

1 AN ACT

2 To amend and reenact R.S. 26:90(A)(3) and 286(A)(3), relative to the Alcoholic Beverage  
3 Control Law; to provide relative to acts prohibited on licensed premises; to provide  
4 relative to minors; to remove certain prohibitions; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 26:90(A)(3) and 286(A)(3) are hereby amended and reenacted to  
7 read as follows:

8 §90. Acts prohibited on licensed premises; suspension or revocation of permits

9 A. No person holding a retail dealer's permit, and no person permitted to sell  
10 alcoholic beverages at retail to consumers, and no agent, associate, employee,  
11 representative, or servant of any such person shall do or permit any of the following  
12 acts to be done on or about the licensed premises:

13 \* \* \*

14 ~~(3)(a) Intentionally entice, aid, or permit any person under the age of~~  
15 ~~eighteen years to visit or loiter in or about any place where alcoholic beverages or~~  
16 ~~beer are the principal commodities sold, handled, or given away. The provisions of~~  
17 ~~this Section shall in no way prohibit the presence of any person under the age of~~  
18 ~~eighteen years on or about a licensed premises for any function sponsored by a~~  
19 ~~religious or charitable organization with tax exempt status under Section 501(3) of~~  
20 ~~the Internal Revenue Code of the United States, or by a fraternal beneficiary society~~

1 ~~with tax exempt status under 501(8) of the said code, and no alcoholic beverages are~~  
2 ~~sold, handled, given away, or accessible during the presence of any such person.~~

3 (b) Permit any person under eighteen years of age to work in any capacity  
4 unless that person is a musician performing in a band on the premises under written  
5 contract for a specified period of time by the permittee, and the musician is under  
6 direct supervision of his parent or legal guardian.

7 \* \* \*

8 §286. Acts prohibited on licensed premises; suspension or revocation of permits

9 A. No person holding a retail dealer's permit, and no person permitted to sell  
10 alcoholic beverages at retail to consumers, and no agent, associate, employee,  
11 representative, or servant of any such person shall do or permit any of the following  
12 acts to be done on or about the licensed premises:

13 \* \* \*

14 ~~(3)(a) Intentionally entice, aid, or permit any person under the age of~~  
15 ~~eighteen years to visit or loiter in or about any place where alcoholic beverages or~~  
16 ~~beer are the principal commodities sold, handled, or given away. However, the~~  
17 ~~provisions of this Section shall in no way prohibit the presence of any person under~~  
18 ~~the age of eighteen years on or about a licensed premises for any function sponsored~~  
19 ~~by a religious or charitable organization with tax exempt status under Section 501(3)~~  
20 ~~of the Internal Revenue Code of the United States, or by a fraternal beneficiary~~  
21 ~~society with tax exempt status under 501(8) of the said code, and no alcoholic~~  
22 ~~beverages are sold, handled, given away, or accessible during the presence of any~~  
23 ~~such person.~~

24 (b) Permit any person under eighteen years of age to work in any capacity  
25 unless that person is a musician performing in a band on the premises under written  
26 contract for a specified period of time by the permittee, and the musician is under  
27 direct supervision of his parent or legal guardian.

28 \* \* \*

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**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)]

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HB 381 Original

2022 Regular Session

Robert Owen

**Abstract:** Removes provisions prohibiting retail dealers from permitting individuals under the age of 18 from visiting licensed premises that serve alcohol.

Present law (R.S. 26:90) prohibits certain acts from occurring on a licensed premises of individuals who hold a retail dealer's permit or are permitted to sell alcoholic beverages at retail.

Present law prohibits individuals from intentionally enticing, aiding, or permitting individuals under the age of 18 from visiting or loitering in any place where alcoholic beverages or beer are the principal commodities.

Present law provides an exception for the presence of individuals under the age of 18 who are at functions sponsored by religious organizations, charitable organizations, or fraternal beneficiary societies where no alcoholic beverages are sold or accessible during the presence of the individual.

Proposed law removes present law.

Present law (R.S. 26:286) prohibits certain acts from occurring on a licensed premises of individuals who hold a permit for dealers in beverages of low alcoholic content.

Present law provides an exception for the presence of individuals under the age of 18 who are at functions sponsored by religious organizations, charitable organizations, or fraternal beneficiary societies where no alcoholic beverages are sold or accessible during the presence of the individual.

Proposed law removes present law.

(Amends R.S. 26:90(A)(3) and 286(A)(3))