

SENATE RESOLUTION NO. 169

BY SENATOR MIZELL

A RESOLUTION

To urge and request the commissioner of the office of alcohol and tobacco control, Department of Revenue, to submit a written report by September 1, 2023, to the Senate Committee on Judiciary B and the David R. Poynter Legislative Research Library in accordance with R.S. 24:771 and 772 concerning the sale or service of alcoholic beverages to underage persons.

WHEREAS, underage drinking occurs when someone under the legal drinking age of twenty-one consumes alcohol; and

WHEREAS, according to the National Institute on Alcohol Abuse and Alcoholism, underage drinking is a serious public health problem in the United States as alcohol is the most widely used substance among America's youth and can cause enormous health and safety risks; and

WHEREAS, according to a 2021 National Survey on Drug Use and Health, close to six million youth ages twelve to twenty reported drinking alcohol beyond "just a few sips" in the previous month; and

WHEREAS, in Louisiana, it is unlawful for any underage person to purchase or have public possession of any alcoholic beverages and it is unlawful for a person holding a retail dealer's permit issued by the office of alcohol and tobacco control to sell or serve alcoholic beverages to any person under the age of twenty-one; and

WHEREAS, the office of alcohol and tobacco control, Department of Revenue, is the regulatory body for the alcohol and tobacco industries and is required by law to enforce state laws and regulations, including the prohibition against the sale or service of alcoholic beverages to underage persons; and

WHEREAS, the office's stated mission is "to maintain the integrity of Louisiana's alcoholic beverage and tobacco industries through effective regulation that promotes responsible business practices and the prevention of access to underage persons"; and

WHEREAS, it is incumbent upon the commissioner of the office of alcohol and

tobacco control to carry out the mission of the office by ensuring the laws and regulations of the state are followed by permitted retail dealers and that such dealers are not engaged in the sale or service of alcoholic beverages to any person under the age of twenty-one.

THEREFORE, BE IT RESOLVED that the Senate of the Legislature of Louisiana does hereby urge and request the commissioner of the office of alcohol and tobacco control, Department of Revenue, to submit a written report by September 1, 2023, to the Senate Committee on Judiciary B and the David R. Poynter Legislative Research Library in accordance with R.S. 24:771 and 772 concerning the sale or service of alcoholic beverages to underage persons.

BE IT FURTHER RESOLVED that the report shall, at a minimum, include for the time period between July 1, 2021, and June 30, 2023, all of the following:

(1) The number of active retail alcoholic beverage permits, delineated by permit type and parish.

(2) The number of alcoholic beverage compliance checks conducted pursuant to R.S. 26:793(C), delineated by permit type and parish.

(3) The number of complaints received regarding the sale or service of alcoholic beverages to underage persons, delineated by permit type and parish.

(4) The average number of days taken by the agency to investigate complaints received regarding the sale or serve of alcoholic beverages to underage persons.

(5) The number of citations issued for violations of R.S. 26:90(A) and 286(A), delineated by permit type, parish, and offense.

(6) The number of permits that were suspended for violations of R.S. 26:90(A) or 286(A) or revoked for violations of R.S. 26:90(A) or 286(A), delineated by permit type, parish, and offense.

(7) The number of citations for violations of R.S. 26:90(A) or 286(A) dismissed or warnings issued on citations for violations of R.S. 26:90(A) or 286(A) by the commissioner, delineated by permit type, parish, and offense.

(8) The number of agreements or orders entered into in lieu of an administrative hearing for violations of R.S. 26:90(A) or 286(A), delineated by permit type, parish, and offense.

(9) The number of follow-up compliance checks conducted pursuant to R.S. 26:793(C) resulting from a retail dealer's noncompliance with R.S. 26:90(A) or 286(A), delineated by permit type and parish.

BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to secretary of the Department of Revenue and the commissioner of the office of alcohol and tobacco control.

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PRESIDENT OF THE SENATE