

Regular Session, 2013

HOUSE BILL NO. 489

BY REPRESENTATIVE COX

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

ALCOHOLIC BEVERAGE PERMT: Provides for the expansion of certain permit authority for areas designated as local historic landmark districts

1 AN ACT

2 To amend and reenact R.S. 26:73(H) and 272(H), relative to certain permits for local historic
3 districts; to require the issuance of certain permits by the commissioner and the
4 municipal or parish governing authority for the sale of low and high alcohol
5 beverages in areas designated as local historic districts; and to provide for related
6 matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 26:73(H) and 272(H) are hereby amended and reenacted to read as
9 follows:

10 §73. Restaurant "R" permit; application; fees

11 * * *

12 H. Notwithstanding the provisions of R.S. 26:81(B)(1) and (C), 273(A)(1),
13 281(B) and (C)(1), 582, and 595, and if all other pertinent qualifications and
14 conditions of this Title are satisfied, the commissioner shall issue a Class ~~A-Retail~~
15 ~~Liquor Permit~~ A-General Permit or a Class A-Restaurant Permit and a Class "R"
16 restaurant permit, and the municipal governing authority or parish governing
17 authority shall issue any and all required local permits to serve high alcohol content
18 beverages for a restaurant establishment, as defined in Subsection C of this Section,
19 or a hotel, if the restaurant or hotel is located within a geographically definable area
20 within any municipality which has been designated by the appropriate authority of

1 the United States Department of the Interior as a national historic landmark district
2 or by the appropriate municipal authority as a local historic district. ~~The For~~
3 restaurant establishments, the provisions of this Subsection shall be applicable only
4 to an establishment that grosses sixty percent of its average monthly sales from the
5 retail sale of food or food items that are prepared for service and consumption on the
6 premises of the establishment.

7 * * *

8 §272. Restaurant "R" permit; application; fees

9 * * *

10 H. Notwithstanding the provisions of R.S. 26:81(B)(1) and (C), 273(A)(1),
11 281(B) and (C)(1), 582, and 595, and if all other pertinent qualifications and
12 conditions of this Title are satisfied, the commissioner shall issue a Class ~~A-Retail~~
13 ~~Liquor Permit~~ A-General Permit or a Class A-Restaurant Permit and a Class "R"
14 restaurant permit, and the municipal governing authority or the parish governing
15 authority shall issue any and all required local permits to serve low alcohol content
16 beverages for a restaurant establishment, as defined in ~~R.S. 26:73(C)~~, R.S.
17 26:272(C)(1), or a hotel, if the restaurant or hotel is located within a geographically
18 definable area within any municipality which has been designated by the appropriate
19 authority of the United States Department of the Interior as a national historic
20 landmark district or by the appropriate municipal authority as a local historic district.
21 ~~The For restaurant establishments, the~~ provisions of this Subsection shall be
22 applicable only to an establishment that grosses sixty percent of its average monthly
23 sales from the retail sale of food or food items that are prepared for service and
24 consumption on the premises of the establishment.

25 * * *

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)]

Cox

HB No. 489

Abstract: Requires the issuance of certain permits for low and high alcohol content beverages for certain restaurant establishments and hotels in areas designated by the appropriate municipal authority as local historic landmark districts.

Present law requires the commissioner to issue a Class A Retail Liquor Permit and a Class "R" restaurant permit and the municipal governing authority or parish governing authority to issue any and all required local permits to serve high and low alcohol content beverages for certain restaurant establishments located within any municipality which has been designated by the appropriate authority of the U.S. Dept. of the Interior as a national historic landmark district provided that the establishment grosses 60% of its monthly sales from the retail sale of food or food items that are prepared for service and consumption on the premises of the establishment.

Proposed law retains present law except that it changes the required permit from a Class A Retail Liquor Permit to a Class A-General Permit or a Class A-Restaurant Permit and adds areas designated by the appropriate municipal authority as local historic districts for purposes of receiving a permit to serve high and low alcohol content beverages for certain restaurant establishments or hotels.

(Amends R.S. 26:73(H) and 272(H))

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Judiciary to the original bill.

1. Changed the present law references for high and low alcohol content "Class A Retail Liquor Permits" to "Class A-General Permits".
2. Required the commissioner to issue a Class A-General Permit or a Class A-Restaurant Permit and a Class "R" restaurant permit to serve high and low alcohol content beverages for a restaurant or hotel within any municipality which had been designated as a national historic landmark district or as a local historic district by the appropriate municipal authority.
3. Provided for technical amendments.