

Regular Session, 2014

HOUSE BILL NO. 346

BY REPRESENTATIVE ARNOLD

REVENUE DEPARTMENT: Provides relative to permits issued by the office of alcohol and tobacco control

1 AN ACT

2 To amend and reenact R.S. 26:912(A), relative to permits issued by the office of alcohol and
3 tobacco control; to prohibit the transfer of tobacco permits by a limited liability
4 company or other legal entities due to change of ownership; and to provide for
5 related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 26:912(A) is hereby amended and reenacted to read as follows:

8 §912. Permits; necessity of display; penalties

9 A. A permit issued under this Chapter is a personal privilege and cannot be
10 transferred. If over fifty-one percent of a corporation is sold or transferred during the
11 period for which a permit was issued, a new permit must be applied for, and the new
12 owner must comply with the provisions set forth in this Chapter. If the holder of the
13 permit is an association, partnership, ~~or~~ limited partnership, limited liability
14 company, or any other legal entity, change of the controlling interest shall constitute
15 a change of ownership under this Chapter. If the business is physically relocated
16 during such period, the registration certificate holder or permittee must notify the
17 commissioner in writing so that proper change may be noted thereon.

18 * * *

19 Section 2. This Act shall become effective upon signature by the governor or, if not
20 signed by the governor, upon expiration of the time for bills to become law without signature
21 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If

- 1 vetoed by the governor and subsequently approved by the legislature, this Act shall become
2 effective on the day following such approval.
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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)]

Arnold

HB No. 346

Abstract: Prohibits the transfer of tobacco permits for a limited liability company or other legal entity.

Present law prohibits tobacco permits from being transferred if over 51% of a corporation is sold or transferred during the period for which a permit was issued, and requires the application for a new permit.

Present law provides that a change of the controlling interest shall constitute a change of ownership if the holder of the permit is an association, partnership, or limited partnership.

Proposed law extends present law to include a limited liability company or any other legal entity.

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

(Amends R.S. 26:912(A))