

RÉSUMÉ DIGEST

ACT 637 (HB 667)

2016 Regular Session

Reynolds

Existing law allows the sampling of beer, wine, or other spirits for the purpose of allowing a consumer to taste a product on the premises of a Class A and Class B permit holder for low and high alcoholic content beverages.

New law allows the sampling of beer, wine, or other spirits on the premises of a Class C permit holder for both low and high alcoholic content beverages.

Existing law allows wine manufacturers or producers to ship directly to consumers in La. when certain conditions are satisfied and provides that existing law does not include the sale of wine perfected on the premises of the producer or manufacturer and completed by shipment to a consumer in La.

New law provides that the existing law prohibition does not include the sale of wine if the sale is perfected when the La. consumer is physically present on the producer or manufacturer's premises or when the wine bears a registered label that it not assigned to a La. licensed wholesaler. New law also authorizes the commissioner of alcohol and tobacco control to promulgate rules to govern the direct shipment of wine.

Prior law required wine producers, manufacturers, and retailers domiciled outside of La. to register with the office of alcohol and tobacco control prior to shipping wine directly to a La. consumer.

New law requires those retailers to apply for a permit to engage in direct shipment, and provides for an annual permit fee of \$1,000 and an annual application fee of \$1,000. New law also requires those producers and manufacturers to apply for such a permit and provides for an annual fee of \$250.

Prior law provided for the filing of a quarterly statement with the Dept. of Revenue indicating the amount of wine shipped directly to La. consumers.

New law changes this requirement to a monthly statement, due on the 20th day of each month.

Existing law provides for civil penalties up to \$25,000 for the transportation of wine in violation of existing law.

New law provides that violators shall be subject to the existing law civil penalty, the seizure of sparkling or still wine, or both.

Effective July 1, 2016.

(Amends R.S. 26:75(C)(1), 275(B)(1), and 359(B)(1)(h) and (i), (2) and (3), (C), (D), (E), and (F); Adds R.S. 26:359(B)(4))