



- (2) Verify that the recipient is 21 years of age or older.
- (3) Obtain the recipient's signature.

Proposed law requires a retail dealer's delivery agent to refuse delivery and return the alcoholic beverages to the licensed premises if:

- (1) The recipient does not produce valid identification verifying he is 21 years old or older.
- (2) The recipient is intoxicated.
- (3) There is reason to doubt the authenticity of the recipient's identification.
- (4) The recipient refuses to sign for the delivery.

Proposed law requires the retail dealer to keep a record of each delivery of alcoholic beverages for at least two years from the date of delivery. Further, the retail dealer must make the records available to the commissioner upon request. Requires record of each delivery to include:

- (1) The retail dealer's name, address, and permit number.
- (2) The name of the person who placed the order and the date, time, and method of the order.
- (3) The name of the delivery agent and the date, time, and address of the delivery.
- (4) The type, brand, and quantity of each alcoholic beverage delivered.
- (5) The name, date of birth, and signature of the person who received the delivery.

Proposed law provides that the holder of a retail dealer permit may enter into a written agreement with a third party for the use of an internet or mobile application to facilitate the sale of alcoholic beverages for delivery to consumers for personal consumption within the state.

Proposed law provides that an alcoholic beverage delivery agreement between a retail dealer and a third party shall require all of the following:

- (1) Only alcoholic beverages purchased from a wholesale dealer are offered for delivery.
- (2) Only alcoholic beverages intended for personal consumption and delivered in a manufacturer sealed container are offered for delivery.
- (3) Alcoholic beverages are delivered only on the days and during the hours the retail dealer is authorized to sell or serve alcoholic beverages.
- (4) Alcoholic beverages are only delivered in those areas where the sale of alcoholic beverages

is permitted.

- (5) No alcoholic beverages are delivered to a state college, university, or technical college or institute or an independent college or university located in this state.
- (6) The alcoholic beverages of all refused deliveries are returned to the place of purchase.
- (7) Alcoholic beverages are delivered only by a person that is 18 or older, and has a valid server permit.
- (8) Alcoholic beverages are delivered by a person that is an employee or independent contractor of the third party.
- (9) The retail dealer manages and controls the sale of alcoholic beverages.

Proposed law provides that a third party must meet all of the following requirements to enter into an alcoholic beverages delivery agreement with a retail dealer:

- (1) Properly registered and authorized to conduct business in Louisiana.
- (2) Does not hold a Louisiana alcoholic beverage permit of any class or type.
- (3) Maintains not less than two million dollars in liability insurance for the duration of the agreement with the retail dealer and provides proof of coverage to the retail dealer.
- (4) Has the ability to monitor the routes of its employees during deliveries.
- (5) Conducts an in-person interview and a background check on all employees that will deliver alcoholic beverages.

Proposed law provides that a retail dealer may pay a third party a fee for its services and a third party may charge a reasonable delivery fee for orders delivered by the third party.

Proposed law provides that a third party may act as an agent of a retail dealer in the collection of payments from the sale of alcoholic beverages, but the full amount of each order must be handled in a manner that gives the retail dealer control over the ultimate receipt of the payment.

Proposed law provides that the third party may receive orders and accept payment via the internet or through a mobile application or similar technology.

Proposed law provides that at the time of delivery, the third party's delivery agent shall verify the recipient's date of birth, that the recipient is 21 years of age, and obtain the recipient's signature.

Proposed law provides that delivery of alcoholic beverages shall be refused if:

- (1) The recipient does not produce a valid and current form of identification.
- (2) The recipient is intoxicated.
- (3) There is reason to doubt the authenticity or correctness of the recipient's identification.
- (4) The recipient refuses to sign for the receipt of the delivery.

Proposed law provides that records of each delivery shall be kept for a period of two years from the date of delivery and made available to the commissioner upon request. Further provides that the record for each delivery shall contain all of the following:

- (1) The retail dealer's name, address, and permit number.
- (2) The name of the person who placed the order and the date, time, and method of the order.
- (3) The name of the delivery agent and the date, time, and address of the delivery.
- (4) The type, brand, and quantity of each alcoholic beverage delivered.
- (5) The name, date of birth, and signature of the person who received the delivery.

Proposed law provides that the provisions of proposed law apply to the delivery of beverages of low alcoholic content and beverages of high alcoholic content.

Effective August 1, 2018.

(Adds R.S. 26:153, 154, 307, and 308)