

2020 Second Extraordinary Session

SENATE BILL NO. 24

BY SENATOR TALBOT

FEES/LICENSES/PERMITS. Provides an exemption to certain fees collected by the Louisiana Department of Health and the office of alcohol and tobacco control. (gov sig) (Item #32)

1 AN ACT  
2 To amend and reenact R.S. 26:794 and to enact R.S. 40:31.37(J), relative to licensing and  
3 permit fees; to provide for an exemption or refund for fees paid by certain businesses  
4 closed due to COVID-19; to provide for an effective date; and to provide for related  
5 matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 26:794 is hereby amended and reenacted to read as follows:

8 §794. Powers and duties; application and renewal procedures

9 A. The commissioner; shall have the authority to implement the following  
10 application and renewal procedures by establishing rules and regulations therefor:

11 ~~B.~~(1) Applications for original permits or for renewal permits authorized  
12 under the provisions of this Title may be made at the same time and on one  
13 application form.

14 (2) Permits authorized under this Title may be issued or renewed once for a  
15 period not to exceed eighteen months, in order that a program of staggered renewal  
16 of applications may be implemented. The fee charged for permits issued for longer  
17 than twelve months shall be increased in a manner so that the permit fee on an annual

1 basis equals the fee charged for the permit under the provisions of this Title.

2 **B. Any applicant who obtained a permit pursuant to Subsection A of**  
3 **this Section that was effective on March 17, 2020, shall be eligible for one of the**  
4 **following:**

5 **(1) Be exempt from payment of the next regularly scheduled permit**  
6 **renewal fee if the applicant's business establishment was required to**  
7 **temporarily cease retail operations pursuant to Proclamation Number 30 JBE**  
8 **2020, or any subsequent proclamation declaring the existence of a statewide**  
9 **COVID-19 public health emergency.**

10 **(2) Be issued a refund by the commissioner of the fee paid for the permit**  
11 **that was in effect if a permitted business establishment has permanently closed**  
12 **as a result of the mandate to temporarily cease retail operations pursuant to**  
13 **Proclamation Number 30 JBE 2020, or any subsequent proclamation declaring**  
14 **the existence of a statewide COVID-19 public health emergency.**

15 Section 2. R.S. 40:31.37(J) is hereby enacted to read as follows:

16 §31.37. Retail food establishment fees

17 \* \* \*

18 **J. Any applicant who obtained a permit pursuant to this Section that**  
19 **was effective on March 17, 2020, shall be eligible for one of the following:**

20 **(1) Be exempt from payment of the next regularly scheduled permit**  
21 **renewal fee if the applicant's business establishment was required to**  
22 **temporarily cease retail operations pursuant to Proclamation Number 30 JBE**  
23 **2020, or any subsequent proclamation declaring the existence of a statewide**  
24 **COVID-19 public health emergency.**

25 **(2) Be issued a refund by the department of the fee paid for the permit**  
26 **that was in effect if a permitted business establishment has permanently closed**  
27 **as a result of the mandate to temporarily cease retail operations pursuant to**  
28 **Proclamation Number 30 JBE 2020, or any subsequent proclamation declaring**  
29 **the existence of a statewide COVID-19 public health emergency.**

1           Section 3. This Act shall become effective upon signature by the governor or, if not  
2 signed by the governor, upon expiration of the time for bills to become law without signature  
3 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
4 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
5 effective on the day following such approval.

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The original instrument and the following digest, which constitutes no part  
of the legislative instrument, were prepared by Brandi Cannon.

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## DIGEST

SB 24 Original

2020 Second Extraordinary Session

Talbot

Present law provides for the issuance of permits by the La. Department of Health and the commissioner of the office of alcohol and tobacco control.

Proposed law retains present law and further provides that any applicant who obtained a permit that was effective on March 17, 2020, shall be eligible for one of the following:

- (1) Be exempt from payment of the next regularly scheduled permit renewal fee if the applicant's business establishment was required to temporarily cease retail operations pursuant to Proclamation Number 30 JBE 2020, or any subsequent proclamation declaring the existence of a statewide COVID-19 public health emergency.
- (2) Be issued a refund of the fee paid for the permit that was in effect if a permitted business establishment has permanently closed as a result of the mandate to temporarily cease retail operations pursuant to Proclamation Number 30 JBE 2020, or any subsequent proclamation declaring the existence of a statewide COVID-19 public health emergency.

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

(Amends R.S. 26:794; adds R.S. 40:31.37(J))