

2020 Second Extraordinary Session

HOUSE BILL NO. 72

BY REPRESENTATIVE STEFANSKI

FUNDS/FUNDING: Provides dedicated funding and requirements within the La. Main Street Recovery Program for certain establishments (Items #16, 17, 18, 19, and 20)

1 AN ACT

2 To amend and reenact R.S. 39:100.44(J), relative to the Louisiana Main Street Recovery
3 Program; to dedicate a certain portion of program funds for certain businesses; to
4 provide relative to calculation of award amounts; to provide an effective date; and
5 to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 39:100.44(J) is hereby amended and reenacted to read as follows:

8 §100.44. Louisiana Main Street Recovery Program

9 * * *

10 J.(1) Notwithstanding any provision of this Section to the contrary, the
11 treasurer shall ensure that within the first sixty days of the recovery program no less
12 than forty million dollars in grants, exclusive of administrative expenses, shall be
13 awarded to minority business enterprises.

14 (2)(a) Notwithstanding any provision of this Section to the contrary, the
15 treasurer shall ensure that a total of twenty-five million dollars shall be awarded to
16 eligible businesses operating as bars. For the purposes of this Paragraph, the term
17 "bar" shall mean an establishment that, as of March 16, 2020, had current permits
18 issued pursuant to R.S. 26:71.1(1) and 271(A)(2)(a) by the commissioner of alcohol
19 and tobacco control. Notwithstanding any provision of law to the contrary, any bar
20 that filed an application in connection with the recovery program and was

1 disqualified shall be entitled to have its application reviewed for an award pursuant
2 to the provisions of this Paragraph.

3 (b) Notwithstanding any provision of law to the contrary, for awards granted
4 pursuant to the provisions of this Paragraph, the total award payment shall not be
5 reduced by more than half because of Paycheck Protection Program funds, Economic
6 Injury Disaster Loan Emergency Advance funds, or business interruption insurance
7 proceeds received by the bar.

8 * * *

9 Section 2. The treasurer may continue to process applications and award grants for
10 pending non-bar applications received as of the effective date of this Act, but may not award
11 any grants to businesses that are not bars, as provided in R.S. 39:100.44(J)(2)(a) as enacted
12 in this Act, if such award will impinge upon any remaining amount allocated by this Act for
13 bars.

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

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)]

HB 72 Engrossed

2020 Second Extraordinary Session

Stefanski

Abstract: Allocates \$25 million dollars of La. Main Street Recovery Program (Main Street Program) funds for bars.

Present law (R.S. 39:100.44) establishes the Main Street Program. Further establishes the La. Main Street Recovery Fund (Fund) to finance the grants awarded by the Main Street Program. Proposed law retains present law.

Of the three hundred million dollars originally placed into the Fund, present law requires a minimum of \$40M to be awarded to minority business enterprises. Proposed law retains present law.

Proposed law further requires a total of \$25M is to be awarded to eligible businesses operating as bars. Present law defines "eligible business" as a for-profit corporation, a

limited liability company, a partnership, or a sole proprietorship that meets specific criteria, including being domiciled in Louisiana as of March 1, 2020; having customers or employees coming to its physical premises; and having no more than 50 full-time equivalent employees as of March 1, 2020. Proposed law defines "bar" for the purposes of proposed law as an establishment whose owner, as of March 16, 2020, was in possession of current retail alcohol permits authorizing sales for consumption on the premises issued by the commissioner of alcohol and tobacco control. Further provides that any "bar" that filed an application in connection with the recovery program and was disqualified shall be entitled to have its application reviewed for an award pursuant to proposed law.

Proposed law further provides that, notwithstanding any provision of law to the contrary, for awards granted pursuant to the provisions of proposed law, the total award payment shall not be reduced by more than half for any Paycheck Protection Program funds, Economic Injury Disaster Loan Emergency Advance funds, or business interruption insurance proceeds received by the bar.

Further provides that the treasurer may continue to process applications and award grants for pending non-bar applications received as of the effective date of proposed law but may not award any grants to businesses that are not bars, as defined in proposed law, if such award will impinge upon any remaining amount allocated by proposed law for bars.

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

(Amends R.S. 39:100.44(J))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Appropriations to the original bill:

1. Change the date by which a qualifying bar must have been in possession of current permits awarded by the commissioner of alcohol and tobacco control from March 1, 2020, to March 16, 2020.
2. Provides that any bar meeting the qualifications of proposed law that had filed an application in connection with the Main Street Recovery Program and been disqualified may have its application reviewed for an award pursuant to proposed law.