

2021 Regular Session

HOUSE BILL NO. 192

BY REPRESENTATIVE GAINES

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

ALCOHOLIC BEVERAGES: Authorizes credit card payment to manufacturers and wholesale dealers of alcoholic beverages

1 AN ACT

2 To amend and reenact R.S. 26:148(A), relative to the sale of alcoholic beverages; to provide
3 for methods of payment; and to provide for related matters.

4 Be it enacted by the Legislature of Louisiana:

5 Section 1. R.S. 26:148(A) is hereby amended and reenacted to read as follows:

6 §148. ~~Cash or short-term credit sales only~~ Form of payment; timely payment;
7 penalty for violation

8 A. No manufacturer or wholesale dealer shall sell, offer to sell, or deliver
9 any alcoholic beverage to any retail dealer in this state, and no retail dealer in
10 alcoholic beverages shall buy or accept delivery for any such beverage, for any
11 consideration other than cash or on terms requiring payment not later than the
12 fifteenth day following that on which actual delivery is made, or by credit card
13 payment where the credit card discount fees or merchant fees are added to the cost
14 of the transaction as a convenience fee and the fees are paid by the retailer. If any
15 payment is not made punctually when due, the vendor shall immediately notify the
16 commissioner thereof and the commissioner shall promptly notify all manufacturers
17 and wholesale dealers in the state of the default and thereafter no person shall sell
18 any alcoholic beverage to the retailer in default on any other terms than cash

1 delivery, until otherwise authorized by the commissioner. Under penalty of
2 suspension of his permit, the retailer who is in default shall pay his obligation in full
3 within thirty days from the date it became due.

4 * * *

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 192 Engrossed 2021 Regular Session Gaines

Abstract: Allows retail dealers to use credit cards to purchase alcoholic beverages from manufacturers and wholesale dealers.

Present law provides that retail dealers may only use cash or terms requiring payment no later than 15 days following that on which actual delivery is made.

Proposed law retains present law and additionally allows retailers to use credit cards for payment.

(Amends R.S. 26:148(A))