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

DIGEST

SB 417 Original | 2022 Regular Session | Cathey

Present law prohibits the issuance of an alcoholic beverage permit to any person who is an interposed person for the owner or proprietor of a business. Present law authorizes the commissioner of the office of alcohol and tobacco control (ATC commissioner) to require a full disclosure, in writing and under oath, of the details of the operation of any person it suspects of being interposed for another.

Present law authorizes the ATC commissioner to summarily rule before the commissioner for examination, any person suspected of being an interposed person.

Present law provides that an "interposed person" is a person who is subsidized, financed, or employed by a liquor manufacturer to operate a business without disclosing the ownership of the liquor manufacturer.

Proposed law retains present law and provides that the full disclosure of the details of the operation of any person it suspects of being interposed for another, include a full disclosure of all contractual agreements entered into between a retailer and a third-party delivery company or third-party platform.

Present law provides for certain requirements that a third-party delivery company or third-party platform meet prior to entering into an alcoholic beverage delivery agreement with a retailer.

Proposed law retains present law regarding the requirements and adds the following requirements:

(1) Prohibits the third-party delivery company or third-party platform, through a contract with the retailer or otherwise, directly or indirectly from sharing in the revenue from the sale of alcoholic beverages.

(2) Requires the third-party delivery company or third-party platform to provide a copy of all contracts with a retailer to the ATC commissioner within 10 days of execution of the contract.

Effective August 1, 2022.

(Amends R.S. 26:83 and 308(E); adds R.S. 26:308(D)(6) and (7))