

## HOUSE SUMMARY OF SENATE AMENDMENTS

HB 829

2022 Regular Session

Stefanski

ALCOHOLIC BEVERAGES: Provides relative to alcoholic beverage delivery

### Synopsis of Senate Amendments

1. Makes technical changes.
2. Authorizes written agreements between holders of valid Class A-General retail permits, holders of Class "R" restaurant permits, and holders of Class B permits and third party delivery companies.
3. Exempts holders of server permits for the sole purpose of delivering alcoholic beverages from the requirement to obtain a local permit to sell or handle alcoholic beverages.
4. Adds the requirement that third party delivery companies deliver alcoholic beverages in a manufacturer sealed container.
5. Requires retail dealers to notify third parties in writing or via electronic means of any changes in sale prices of any alcoholic beverages by the retail dealer.
6. Removes proposed law requirement to list all alcoholic beverages on its platform at retail dealer's price.
7. Removes proposed law limitation of liability for certain price markups.

### Digest of Bill as Finally Passed by Senate

Present law (R.S. 26:274) allows for parishes and municipalities to issue and require local permits for the delivery of alcoholic beverages by grocery stores, restaurants, and third parties.

Proposed law prohibits a parish or municipality from requiring local permits of any third party which has been issued a state delivery service permit and from requiring an additional local permit for delivery of any licensed retail dealer that has been issued a state delivery permit.

Present law (R.S. 26:308) allows certain retail dealers to enter into an agreement with a third-party to facilitate the sale of alcoholic beverages for delivery.

Proposed law retains present law and additionally authorizes written agreements for the sale of alcoholic beverages for curbside pickup for holders of Class A-General, Class "R" restaurant, and Class B permits.

Present law prohibits the delivery of alcoholic beverages beyond a certain distance in certain parishes.

Proposed law prohibits the delivery of alcoholic beverages beyond 20 miles from the place of purchase for all parishes.

Present law requires a person delivering alcoholic beverages to possess a valid server permit.

Present law (R.S. 26:931) provides that a server permit is a permit issued to a server or security personnel upon completion of all required server or security personnel training

courses and all required refresher courses as provided by present law.

Proposed law retains present law and additionally exempts any person who has obtained a permit solely for the purpose of alcoholic beverage delivery from local server permitting requirements.

Present law (R.S. 26:308) requires a retail dealer to determine the price at which alcoholic beverages are offered for sale or sold through a third party.

Proposed law retains present law and requires retail dealers to notify third parties in writing or via electronic means of any changes in sale prices of any alcoholic beverages by the retail dealer.

Proposed law requires third party delivery companies to deliver alcoholic beverages in a manufacturer sealed container.

Present law provides that any permittee who violates the provisions of present law shall be subject to revocation of the permit by the commissioner.

Proposed law provides that any permittee who violates the provisions of present law may be subject to revocation of the permit by the commissioner and adds that a violation of present law may also be punishable as provided by R.S. 26:292.

Present law (R.S. 26:292) provides for fines in lieu of revocation or suspension of the permit.

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

(Amends R.S. 26:274(A)(2), (E) and 308(B), (C)(8), and 12(b), and (J))