

2022 Regular Session

HOUSE BILL NO. 829

BY REPRESENTATIVE STEFANSKI

1 AN ACT

2 To amend and reenact R.S. 26:274(A)(2) and (E) and 308(B), (C)(8) and (12)(b), and (J),
3 relative to the delivery of alcoholic beverages; to provide relative to third party
4 delivery companies and platforms; to provide for requirements for alcoholic
5 beverage delivery agreements; to provide for penalties; to provide for an effective
6 date; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 26:274(A)(2) and (E) and 308(B), (C)(8) and (12)(b), and (J) are
9 hereby amended and reenacted to read as follows:

10 §274. Local permits

11 A.

12 * * *

13 (2) Parishes and municipalities ~~may issue and require local permits similar~~
14 ~~to those issued by the commissioner for the delivery of alcoholic beverages by~~
15 ~~grocery stores, restaurants, and third parties~~ shall not require a local permit for any
16 third-party delivery company which has been issued a state delivery service permit
17 in accordance with the provisions of this Chapter. Parishes and municipalities shall
18 not require an additional local permit for the delivery of alcoholic beverages by any
19 licensed retail dealer that has been issued a state delivery service permit in
20 accordance with the provisions of this Chapter.

21 * * *

1 agreement with a third-party delivery company or a third-party platform for the use
 2 of an internet or mobile application or similar technology platform to facilitate the
 3 sale of alcoholic beverages for curbside pickup by consumers within this state for
 4 personal consumption. Any alcoholic beverage sold and delivered pursuant to the
 5 provisions of this Paragraph shall be limited to alcoholic beverages in a manufacturer
 6 sealed container.

7 C. An alcoholic beverage delivery agreement between a retail dealer and a
 8 third party shall require all of the following:

9 * * *

10 ~~(8)(a) For any parish having a population of less than one hundred thousand~~
 11 ~~according to the latest federal decennial census, no alcoholic beverages shall be~~
 12 ~~delivered more than twenty-five miles from the place of purchase.~~

13 ~~(b) For any parish having a population of greater than one hundred thousand~~
 14 ~~according to the latest federal decennial census, no alcoholic beverages shall be~~
 15 ~~delivered more than ten miles from the place of purchase. No alcoholic beverages~~
 16 shall be delivered more than twenty miles from the place of purchase.

17 * * *

18 (12) The retail dealer shall manage and control the sale of alcoholic
 19 beverages including but not limited to all of the following:

20 * * *

21 (b) Determining the price at which alcoholic beverages are offered for sale
 22 or sold through a third party's internet or mobile application platform or similar
 23 technology. The retail dealer shall notify the third party in writing or through
 24 electronic means prior to any change in the sale price by the retail dealer of any
 25 alcoholic beverage offered for sale by the retail dealer at its licensed premises that
 26 is also offered for sale through the third party pursuant to the alcohol beverage
 27 delivery agreement between the parties.

28 * * *

1 J. Any ~~permittee~~ permittee who violates the provisions of this Section ~~shall~~
2 may be subject to revocation of ~~their~~ the permit by the commissioner and be subject
3 to penalties as provided by R.S. 26:292.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____