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

DIGEST

SB 194 Original

2023 Regular Session

Mizell

<u>Present law</u> provides for the powers and duties fo the office of alcohol and tobacco control (office), including the issuance of Class A retail liquor permits.

<u>Present law</u> provides for three types of Class A retail liquor permits: Class A-General, Class A-Restaurant, and Class A-Special.

<u>Present law</u> provides that a Class A-General retail permit is issued only to a retail outlet where alcohol is sold on the premises for consumption on the premises by paying customers and that meets other requirements provided by <u>present law</u>. Provides that a Class A-General retail permit must be issued only to an establishment where the state law provides that no person under the age of 18 is allowed on the premises. Makes an exception for a minor to be present at the establishment provided the minor is a musician who performs in a band at the establishment under written contract with the permit holder and is under the direct supervision of his parent or guardian.

<u>Proposed law</u> increases the age to enter a Class A-General retail establishment from 18 to 21 and removes the exception for a minor who performs in a band to be on the premises of the establishment.

Present law provides for the certification of servers by the office.

<u>Proposed law</u> retains <u>present law</u> but adds the requirement that only a person 21 and older can be employed as a bartender. Provides for the duties of bartenders.

<u>Present law</u> provides relative to prohibited acts of a person holding a retail dealer's permit, including but not limited to the following:

- (1) Enticing, aiding, or permitting any person under the age of 18 to visit or loiter in or about any place where alcoholic beverages or beer are the principal commodities sold, handled, or given away.
- (2) Employing anyone under the age of 18 in any capacity in an establishment where the sale of alcoholic beverages constitutes its main business.
- (3) Permitting the playing of pool by any person under the age of 18 or permitting the person to visit or frequent the licensed pool or billiard hall, except if the playing area is separate and distinct from the area where the alcoholic beverages are dispensed.

Proposed law prohibits a person holding a retail dealer's permit from allowing any person under the

age of 21 years to enter a Class A-General retail establishment. Requires any person attempting to enter the Class-A General retail establishment to submit certain forms of identification verifying he is at least 21 years old.

<u>Present law</u> provides for a penalty schedule for violations and provides for a three-year cleansing period from the first offense.

Proposed law increase the penalties as follows:

- (1) For a first offense, <u>from</u> not less than \$50 but not more than \$500 to not less than \$1,000 but not more than \$5,000.
- (2) For a second offense, <u>from</u> not less than \$250 but not more than \$1000 to not less than \$5,000 but not more than \$10,000.
- (3) For a third offense, <u>from</u> not less than \$500 to not more than \$2,500 to not more than \$10,000 but not more than \$15,000.

Proposed law increases the cleansing period to 10 years from the first offense.

<u>Proposed law</u> requires that upon first offense, in additional to the fines, the commissioner shall require the Class A-General permit holder to verify age through an age verification system authorized by the commissioner.

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

(Amends R.S. 14:93.11(A) and 333(B), R.S. 23:161(13), and R.S. 26:71.1(1)(d) and (e) and (4)(b), 80(A)(1), 90(A)(3), (8)(a), and (10), 96(A), 271.2(1)(d) and (e) and (4)(b), 286(A)(3), (8)(a), and (10), 793(C)(1), and 794(B)(3)(a); adds R.S. 26:71.5, 90(A)(17), and 271.5)