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

DIGEST

SB 168 Original

2024 Regular Session

Mizell

Present law provides that the Department of Revenue, office of tobacco control, is the agency responsible for the permitting of certain establishments and enforcement of the Alcoholic Beverage Control Law.

Present law prohibit acts of permit holders and provides for civil fines, suspension, and revocation for certain actions, including the sale or service of alcoholic beverages, including high and low alcohol content, to any person under the age of 21.

Present law provides that for a violation of present law, the commissioner may, in lieu of or in addition revocation or suspension of a permit, impose the civil fines.

Proposed law increases the fines as follows:

- (1) For a first offense: from not less than \$50 but not more than \$500 to \$100 but not more than \$1,000.
- (2) For a second offense that occurs within three years of the first offense: from not less than \$250 but not more than \$1,000 to \$250 but not more than \$2,000.
- (3) For a third offense that occurs within three years of the first offense: from not less than \$500 but not more than \$2,500 to \$500 but not less than \$5,000.

Proposed law provides for penalties if a person holding a retailer dealer's permit is found in violation of present law prohibition on the sale or service of alcohol to any person under the age of 21 years as follows:

- (1) For a first offense not less than \$250 but not more than \$2,500.
- (2) For a second offense that occurs within five years of the first offense not less than \$500 dollars but not more than \$5,000.
- (3) For a third offense that occurs within five years of the first offense not less than \$1,000 but not more than \$10,000.

Proposed law provides that in addition to fines imposed for a first offense violation of present law regarding the sale or service of alcoholic beverages to a person under the age of 21, the commissioner will require retail permit holder to verify the age of each person prior to the sale of an alcoholic beverage to the person through an electronic age verification device approved by the

commissioner.

Present law prohibits a person under the age of 21 to present or offer to any person having a license or permit to sell alcoholic beverages any written, printed, or photostatic evidence of age and identity which is false, fraudulent, or not actually his own for the purpose of obtaining or purchasing alcoholic beverages or attempting to enter the licensed premises. Provides that a violation is punishable by one or more of the following:

- (1) A fine of not more than \$200.
- (2) Not more than 30 hours of community service.
- (3) Suspension of violator's driver's license for 90 days.

Proposed law increases the penalties for a violation of present law as follows:

- (1) A fine of not more than \$500.
- (2) Not more than 60 hours of community service.
- (3) Suspension of driver's license for 180 days.

Proposed law requires the commissioner to submit the governor, the Senate Committee on Judiciary B, the House Committee on Judiciary, and the David R. Poynter Legislative Research Library a report concerning the sale and service of alcoholic beverages to persons under the age of 21.

Effective August 1, 2024.

(Amends R.S. 14:333(B) and R.S. 26:96(A) and 292(A); adds R.S. 26:800.1)