

Regular Session, 2013

SENATE BILL NO. 143

BY SENATOR DORSEY-COLOMB

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

ALCOHOLIC BEVERAGES. Provides for qualifications for alcoholic beverage permits.
(gov sig)

1 AN ACT

2 To amend and reenact R.S. 26:80(B) and (C)(2), relative to qualifications for alcoholic
3 beverage permits; to provide relative to citizenship and residency requirements for
4 manufacture permits; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 26:80(B) and (C)(2) are hereby amended and reenacted to read as
7 follows:

8 §80. Qualifications of applicants for permits

9 * * *

10 B. If the applicant is a partnership recognized by Louisiana law, or anyone
11 in such partnership with or financed by another, all members of such partnership, or
12 all the persons furnishing the money shall also possess the qualifications required of
13 an applicant. The application shall name all partners or financial backers and furnish
14 their social security numbers and proper addresses. If a partner of a partnership
15 applying for retail **or manufacturer's** permits is a corporation or limited liability
16 company, the requirements as to citizenship and residence shall not apply to officers,
17 directors, and stockholders of the corporation or members of the limited liability

1 company. The corporation or limited liability company shall either be organized
2 under the laws of the state of Louisiana or qualified to do business within the state
3 of Louisiana.

4 C. * * *

5 (2) The requirements as to citizenship and residence do not apply to officers,
6 directors, or stockholders of corporations or members of limited liability companies
7 applying for retail permits; to officers, directors, or stockholders or members of a
8 manufacturer ~~that does not maintain one or more establishments in this state~~; or to
9 officers, directors, or stockholders of any corporation which on January 31, 2003 had
10 held a wholesale dealer permit continuously for at least the past three years. The
11 provisions of this Paragraph only apply to a corporation, limited liability company,
12 partnership, or any other legal business entity either organized under the laws of the
13 state of Louisiana or qualified to do business within the state of Louisiana.

14 * * *

15 Section 2. This Act shall become effective upon signature by the governor or, if not
16 signed by the governor, upon expiration of the time for bills to become law without signature
17 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
18 vetoed by the governor and subsequently approved by the legislature, this Act shall become
19 effective on the day following such approval.

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

DIGEST

Present law requires an applicant for any kind of a state or local alcohol beverage permit to be a citizen of the United States and the state of Louisiana and a resident of the state continuously for not less than two years.

Present law provides that if a partner of a partnership applying for retail permits is a corporation or limited liability company, the requirements as to citizenship and residence shall not apply to officers, directors, and stockholders of the corporation or members of the limited liability company.

Proposed law retains present law and provides similarly for applicants for manufacturer's permits.

Present law provides that the requirements as to citizenship and residence do not apply to officers, directors, or stockholders of corporations or members of limited liability companies

applying for retail permits; to officers, directors, or stockholders or members of a manufacturer that does not maintain one or more establishments in this state; or to officers, directors, or stockholders of any corporation which on January 31, 2003, had held a wholesale dealer permit continuously for at least the past three years.

Proposed law retains present law and removes restrictions on exception's applicability to only manufacturers who do not maintain establishments in Louisiana.

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

(Amends R.S. 26:80(B) and (C)(2))