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## DIGEST

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HB 467 Engrossed

2015 Regular Session

Harris

**Abstract:** Requires all consideration for tobacco products be made in cash or on terms, and provides relative to notification and penalties for default in payment.

Proposed law prohibits all manufacturers and wholesale dealers from selling, delivering, or offering for sale, tobacco products to any retail dealer for any consideration other than cash or payment on terms.

Proposed law requires the manufacturer and wholesaler to immediately notify the commissioner of any payments that have not been made by the due date or returned for insufficient funds, and further requires the commissioner to notify all manufacturers and wholesale dealers in the state that the retail dealer has defaulted on payment.

Proposed law requires that upon notification all manufacturers and wholesale dealers in the state shall accept only cash delivery for any tobacco products until otherwise authorized by the commissioner. Proposed law requires that the retail dealer in default to pay the obligation in full within 30 days of the due date.

Proposed law authorizes the commissioner to suspend the permit of any person who violates the provisions of proposed law for not more than five days for the first offense and not more than 30 days for any subsequent offense, which includes each failure to make payment for any default during the period of suspension.

Proposed law authorizes payment to be made in cash for all tobacco products subsequently sold or delivered to the retail dealer.

Proposed law requires the commissioner to promulgate rules and regulations for the enforcement of proposed law.

(Adds R.S. 26:909.1)

### Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Judiciary to the original bill:

1. Remove the commissioner's authority to order that no state or local permit can be issued for the same premises where the permit for such premises is suspended or revoked until

all debts are satisfied by the retail dealer.