

**SENATE COMMITTEE AMENDMENTS**

2015 Regular Session

Amendments proposed by Senate Committee on Judiciary B to Reengrossed House Bill No. 233 by Representative Adams

1 AMENDMENT NO. 1

2 On page 1, line 2, after “71.1(4)(a),” and before “78(A),” insert “73(C)(1)(e),”

3 AMENDMENT NO. 2

4 On page 1, line 3, after “271.2(4)(a),” and before “278(A),” insert “272(C)(1)(e),”

5 AMENDMENT NO. 3

6 On page 1, line 3, after “280(A)(8),” delete “and 283” and insert “283, and 793(C)(1)”

7 AMENDMENT NO. 4

8 On page 1, line 8, after “application requirements;” and before “to authorize” insert “to  
9 provide relative to powers of the commissioner;”

10 AMENDMENT NO. 5

11 On page 1, line 12, after “71.1(4)(a),” and before “78(A),” insert “73(C)(1)(e),”

12 AMENDMENT NO. 6

13 On page 1, line 13, after “271.2(4)(a),” and before “278(A),” insert “272(C)(1)(e),”

14 AMENDMENT NO. 7

15 On page 1, line 13, after “280(A)(8),” delete “and 283” and insert “283, and 793(C)(1)”

16 AMENDMENT NO. 8

17 On page 6, between lines 18 and 19, insert the following:

18 §73. Restaurant "R" permit; application; fees

19 \* \* \*

20 C.(1) For purposes of this Section, "restaurant establishment" shall  
21 be defined as an establishment:

22 \* \* \*

23 (e) Which has a public habitable floor area of no less than five  
24 hundred square feet dedicated to the exclusive use of the applicant's or  
25 licensee's business. This Subparagraph shall not apply to business locations  
26 that apply to or have been licensed to sell or serve alcoholic beverages prior  
27 to August 1, 2006, and have not discontinued the sale and service of such  
28 beverages for more than six months. Notwithstanding any other provision  
29 of this Chapter, the commissioner may waive this requirement for any  
30 building listed as a historic building on an official registry or located within  
31 an officially designated historic district.

32 \* \* \*"

33 AMENDMENT NO. 9

1 On page 7, at the end of line 5, after "provided." insert "Notwithstanding any other provision  
2 of this Chapter, the commissioner may waive all state application fees or provide an equal  
3 credit to an applicant's account when a permit is not issued within three business days of  
4 receipt of a fully and properly completed application."

5 AMENDMENT NO. 10

6 On page 8, between lines 15 and 16, insert the following:

7 §272. Restaurant "R" permit; application; fees

8 \* \* \*

9 C.(1) For purposes of this Section, "restaurant establishment" shall  
10 be defined as an establishment:

11 \* \* \*

12 (e) Which has a public habitable floor area of no less than five  
13 hundred square feet dedicated to the exclusive use of the applicant's or  
14 licensee's business. This Subparagraph shall not apply to business locations  
15 that have applied to or have been licensed to sell or serve alcoholic beverages  
16 prior to August 1, 2006, and have not discontinued the sale and service of  
17 such beverages for more than six months. Notwithstanding any other  
18 provision of this Chapter, the commissioner may waive this requirement for  
19 any building listed as a historic building on an official registry or located  
20 within an officially designated historic district.

21 \* \* \*"

22 AMENDMENT NO. 11

23 On page 9, at the end of line 20, after "provided." insert: "Notwithstanding any other  
24 provision of this Chapter, the commissioner may waive all state application fees or provide  
25 an equal credit to an applicant's account when a permit is not issued within three business  
26 days of receipt of a fully and properly completed application."

27 AMENDMENT NO. 12

28 On page 10, after line 11, add the following:

29 "\* \* \*

30 §793. Additional powers of the commissioner

31 \* \* \*

32 C.(1) In order to ensure compliance with ~~"Prevention of Youth~~  
33 ~~Access to Tobacco Law"~~ laws prohibiting the sale or service of alcoholic  
34 beverage, tobacco, alternative nicotine, or vapor products to underage  
35 persons, the commissioner shall annually conduct random, unannounced  
36 inspections at locations where alcoholic beverages, tobacco, or alternative  
37 nicotine products are sold, served, or distributed. Persons under the age of  
38 eighteen may be enlisted by employees of the office of alcohol and tobacco  
39 control to test compliance, but such persons may be used only if the testing  
40 is conducted under the direct supervision of such employees and written  
41 parental consent has been provided if the person is under the age of eighteen.  
42 Any person under the age of eighteen or twenty-one shall either carry the  
43 person's own identification showing the person's correct date of birth or shall

1 carry no identification. A person under the age of eighteen or twenty-one  
2 who carries identification shall, on request, present it to any seller or server  
3 of alcoholic beverages, tobacco, or alternative nicotine products. In addition,  
4 any person under the age of eighteen or twenty-one enlisted under this  
5 Subsection shall truthfully answer any questions about the person's age.  
6 Except where expressly authorized in writing by the commissioner in  
7 furtherance of the objectives of this Section, ~~Any~~ any other use of persons  
8 under the age of eighteen or twenty-one to test compliance with the  
9 provisions of this Section or any other prohibition of like or similar import  
10 shall be unlawful and the person or persons responsible for such use shall be  
11 subject to the penalties prescribed in this Title or R.S. ~~14:91.8(H)~~ 14:91.6,  
12 91.8(H),92, or 93.11.

13 \* \* \*