SENATE BILL NO. 18

26

BY SENATOR CATHEY

1	AN ACT
2	To enact R.S. 26:71(A)(8) and 271(A)(7), relative to the Alcoholic Beverage Control Law;
3	to provide for certain permit fee payments; to provide for certain malt beverages or
4	beverages of low alcoholic content permit fee payments; to provide for permit fee
5	credits and refunds under certain exceptions related to COVID-19; and to provide for
6	related matters.
7	Be it enacted by the Legislature of Louisiana:
8	Section 1. R.S. 26:71(A)(8) and 271(A)(7) are hereby enacted to read as follows:
9	§71. Permits required; fees; exception
10	A. Except as provided in Subsections B and C of this Section, before
11	engaging in the business of manufacturing, supplying, or dealing in alcoholic
12	beverages, all persons shall obtain from the commissioner, according to established
13	rules and regulations, a permit to conduct each separate business and shall pay the
14	commissioner a fee not to exceed the amounts provided for in the following schedule
15	and in accordance with regulations promulgated pursuant to the provisions of the
16	Administrative Procedure Act for each year the permit is valid:
17	* * *
18	(8) COVID-19 exceptions:
19	(a) A permit holder that timely paid its permit fee due to the
20	commissioner during the 2020 calendar year pursuant to Subparagraph (1)(a),
21	Item (3)(a)(i), and Subparagraph (3)(d) of this Subsection, shall have its permit
22	fees due during the 2021 calendar year reduced on a pro rata basis for the
23	number of days in calendar year 2020 that the permit holder was required to
24	temporarily close operations pursuant to Proclamation Number 30 JBE 2020,
25	or any subsequent proclamation declaring the existence of a statewide

COVID-19 public health emergency.

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(b) A permit holder that timely paid its permit fee due to the commissioner during the 2020 calendar year pursuant to Subparagraph (1)(a), Item (3)(a)(i), and Subparagraph (3)(d) of this Subsection, subsequently surrendered its permit to the commissioner during the 2020 calendar year, and was in good standing with the commissioner at the time of the surrender, shall be issued a refund in the amount paid, but reduced on a pro rata basis for the number of days in calendar year 2020 that the permit holder was required to temporarily close operations pursuant to Proclamation Number 30 JBE 2020, or any subsequent proclamation declaring the existence of a statewide COVID-19 public health emergency, no later than December 31, 2020.

* * *

§271. Permits required; fees

A. Before engaging in the business of dealing in malt beverages or beverages of low alcoholic content, all manufacturers, wholesale and retail dealers, and microbrewers shall obtain from the commissioner, according to established rules and regulations, a permit to conduct each separate manufacturing, wholesale, retail, or microbrewery business and shall pay for each permit a fee not to exceed the amounts provided for in the following schedule and in accordance with regulations promulgated pursuant to the provisions of the Administrative Procedure Act for each year the permit is valid:

(1) * * *

(7) COVID-19 exceptions:

(a) A permit holder that timely paid its permit fee due to the commissioner during the 2020 calendar year pursuant to Subparagraph (2)(a), Paragraph (5), and Subparagraph (6)(a) of this Subsection, shall have its permit fees due during the 2021 calendar year reduced on a pro rata basis for the number of days in calendar year 2020 that the permit holder was required to temporarily close operations pursuant to Proclamation Number 30 JBE 2020, or any subsequent proclamation declaring the existence of a statewide COVID-19 public health emergency.

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1	(b) A permit holder that timely paid its permit fee due to the
2	commissioner during the 2020 calendar year pursuant to Subparagraph (2)(a),
3	Paragraph (5), and Subparagraph (6)(a) of this Subsection, subsequently
4	surrendered its permit to the commissioner during the 2020 calendar year, and
5	was in good standing with the commissioner at the time of the surrender, shall
6	be issued a refund in the amount paid, but reduced on a pro rata basis for the
7	number of days in calendar year 2020 that the permit holder was required to
8	temporarily close operations pursuant to Proclamation Number 30 JBE 2020,
9	or any subsequent proclamation declaring the existence of a statewide
10	COVID-19 public health emergency, no later than December 31, 2020.
11	* * *
12	Section 2. This Act shall become effective upon signature by the governor or, if not
13	signed by the governor, upon expiration of the time for bills to become law without signature
14	by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
15	vetoed by the governor and subsequently approved by the legislature, this Act shall become
16	effective on the day following such approval.
	PRESIDENT OF THE SENATE
	PRESIDENT OF THE SENATE
	SPEAKER OF THE HOUSE OF REPRESENTATIVES
	SFEARER OF THE HOUSE OF REFRESENTATIVES
	COVERNOR OF THE STATE OF LOUISIANA
	GOVERNOR OF THE STATE OF LOUISIANA
	APPROVED: