

Prior law, during a state of emergency as declared by the governor or the parish president, provided that the prices charged or value received for goods and services sold within the designated emergency area may not exceed the prices ordinarily charged in the area at or before the time of the state of emergency, unless the price is due to fluctuations in the applicable commodity markets or regional or national market trends, or to reasonable expenses and charges and attendant business risk incurred in procuring or selling the goods or services during the state of emergency.

Prior law provided that the prohibition is effective for an initial period not to exceed 30 days and can be renewed only by gubernatorial proclamation. Authorized local governing authorities to adopt appropriate ordinances to implement these provisions.

Prior law applied to gasoline or diesel fuel for sale in the emergency area for use in motor vehicles, generators, power tools, or small engines. Further provided that "sale" includes any transaction involving the transfer of gasoline or diesel fuel at the terminal until purchase by the ultimate consumer at a service station, convenience store or other fixed retail facility.

New law retains prior law and specifies that it also applies to the sale, or offer for sale, of gasoline or diesel fuel to the ultimate consumer from any facility other than a service station, convenience store, or other similar fixed facility, including sales in which such gasoline or diesel fuel is sold by any person from any container irrespective of type, form, or volume.

Effective August 15, 2010.

(Adds R.S. 29:732(F)(3))