

---

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Cathy R. Wells.

---

## DIGEST

Present law provides for the qualifications an applicant is required to possess in order to receive an alcoholic beverage permit or a dealer of malt/low alcoholic content permit.

Proposed law retains present law and requires an applicant to be a person:

- (1) Whose prior activities, criminal record, if any, reputation, habits, and associations do not pose a threat to the public interest of this state or to the effective regulation and control of alcoholic beverages, or create or enhance the dangers of unsuitable, unfair, or illegal practices, methods, and operations in the activities authorized by law and any financial arrangements incidental thereto.
- (2) Who has not been convicted in this or in any other state or by the United States or any other country of theft or any crime involving false statements or declarations, or gambling as defined by the laws and ordinances of any municipality, any parish, any state, or the United States.
- (3) Who has a spouse that has not been convicted of either of the above referenced offenses.

Proposed law authorizes the commissioner of ATC to consider any arrest, summons, charge, or indictment of an applicant, or the dismissal thereof in determining suitability even if the arrest, summons, charge or indictment results in acquittal, deferred adjudication, probation, parole, or pardon.

Proposed law requires all licensees and persons required to be qualified by ATC have a continuing duty to inform the commissioner of any action which they believe would constitute a violation of alcohol beverage laws and further prohibits discrimination against a person by an applicant or licensee because of supplying such information.

Proposed law requires all licensees and any other persons who have been found suitable to maintain suitability throughout the term of the license.

Effective August 1, 2012.

(Amends R.S. 26:80(A), (F)(2), (H) and 280(A), (F)(2), and (H); adds R.S. 26:80(I), (J), (K) and 280(I), (J), and (K))