

2025 Regular Session

HOUSE BILL NO. 546

BY REPRESENTATIVE KNOX

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

ALCOHOLIC BEVERAGE PERMT: Provides with respect to the issuance of alcoholic beverage permits

1 AN ACT

2 To amend and reenact R.S. 26:87(B) and 284(E) and to enact R.S. 26:87(A)(4) and 284(F),
3 relative to alcoholic beverage permits; to provide for opposition by a legislator; to
4 provide for the procedure for opposition; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 26:87(B) and 284(E) are hereby amended and reenacted and R.S.
7 26:87(A)(4) and 284(F) are enacted to read as follows:

8 §87. Procedure for determination to issue or withhold permit

9 A. The right to determine what persons shall or shall not be licensed under
10 this Chapter shall be exercised in the following manner:

11 * * *

12 (4) Within five calendar days after receipt of a request for the issuance of a
13 permit or a renewal, the commissioner shall notify the state senator and the state
14 representative for the district where the permit is to be issued that a request for a
15 state permit has been received. The state senator or state representative may prevent
16 the issuance of a permit in his legislative district by filing with the commissioner a
17 sworn petition of opposition within thirty-five days from the date the application for
18 a state permit or renewal is received. If this petition is timely filed, the
19 commissioner shall withhold the state permit and immediately notify the proper local
20 authority, who shall withhold the local permit.

1 B. Except as provided in Subsection (A)(4), ~~No~~ no petition of opposition
2 shall be acted upon by the commissioner unless the petitioner states in an affidavit
3 that he, together with witnesses, if any, will appear at the hearing to establish the
4 allegations of the petition and unless the petition sets forth facts constituting a cause
5 or causes enumerated in or authorized by this Chapter for the withholding of a
6 permit.

7 * * *

8 §284. Procedure for determination to issue or withhold permit

9 The right to determine what persons shall or shall not be licensed under this
10 Chapter shall be exercised in the following manner:

11 * * *

12 E. Within five calendar days after receipt of a request for the issuance of a
13 permit or renewal, the commissioner shall notify the state senator and the state
14 representative for the district where the permit is to be issued that a request for a
15 state permit has been received. The state senator or state representative may prevent
16 the issuance of a permit in his legislative district by filing with the commissioner a
17 sworn petition of opposition within thirty-five days from the date the application for
18 a state permit or renewal is received. If this petition is timely filed, the
19 commissioner shall withhold the state permit and immediately notify the proper local
20 authority, who shall withhold the local permit.

21 ~~E.F.~~ Except as provided in Subsection (E), ~~No~~ no petition of opposition shall
22 be acted upon by the commissioner or the local authorities unless it is sworn to by
23 the petitioner in an affidavit which also affirms that the petitioner together with
24 witnesses, if any, will appear at the hearing to establish the allegations of the petition
25 and unless the petitioner sets forth facts constituting a cause or causes enumerated
26 in or authorized by this Chapter for the withholding of a permit.

27 Section 2. This Act shall be referred to as the "Respecting Neighbors and Preserving
28 Neighborhoods Act".

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 546 Original

2025 Regular Session

Knox

Abstract: Permits a legislator to prevent the issuance of an alcoholic beverage permit in his legislative district by filing a petition of opposition with the commissioner of alcohol and tobacco.

Present law provides that a person may apply for an alcohol permit with the commissioner of alcohol and tobacco.

Present law provides that citizens may object to the issuance of the permit by filing a sworn affidavit of opposition with the commissioner within 35 days of the application request.

Present law requires the commissioner to hold a hearing to determine whether the opposition sets forth facts constituting a cause or causes for the withholding of a permit.

Proposed law retains present law with regard to citizens but would require the commissioner to give notice to a state senator and state representative that a permit has been requested to be issued in their legislative district within five days of receiving the request for the permit or renewal.

Proposed law permits a legislator to prevent the issuance of an alcoholic beverage permit or renewal in his legislative district by filing a petition of opposition with the commissioner of alcohol and tobacco within 35 days of the date the application is received by the commissioner.

Proposed law provides that this Act shall be referred to as the "Respecting Neighbors and Preserving Neighborhoods Act".

(Amends R.S. 26:87(B) and 284(E); Adds R.S. 26:87(A)(4) and 284(F))