

2026 Regular Session

HOUSE BILL NO. 451

BY REPRESENTATIVE LACOMBE

ALCOHOLIC BEVERAGES: Provides relative to notices of hearings required by the ATC commissioner

1 AN ACT

2 To amend and reenact R.S. 26:98, 295, and 919(A), relative to notice of hearings by the
3 office of alcohol and tobacco control of the Department of Revenue; to provide for
4 the timeframe for notice of hearings; to provide for the method of notice of hearings;
5 and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 26:98, 295, and 919(A) are hereby amended and reenacted to read
8 as follows:

9 §98. Notice of hearing by commissioner

10 Whenever the commissioner is to hold a hearing pursuant to the provisions
11 of this Part, he shall issue a written summons or notice thereof to the applicant or
12 permittee, directing him to show cause why his application should not be refused or
13 why his permit should not be suspended or revoked. The notice or summons shall
14 state the time, place, and hour of the hearing, which shall be not less than ten ~~nor~~
15 ~~more than thirty~~ calendar days from the date of the notice. The notice or summons
16 shall enumerate the cause or causes alleged for refusing the application or for
17 suspending or revoking the permit. When a petition has been filed opposing the
18 issuance of the permit or asking for its suspension or revocation, a copy of the
19 petition shall accompany the notice or summons. All notices or summonses shall be
20 either delivered to the applicant or permittee in person, transmitted by electronic

1 cause why his application should not be refused, ~~or~~ why he should not be assessed
2 a penalty, or why his permit should not be suspended or revoked. The notice or
3 summons shall state the time, place, and hour of the hearing, which shall be not less
4 than ten ~~nor more than thirty~~ calendar days from the day of the notice. The notice
5 or summons shall enumerate the cause or causes alleged for refusing the application
6 or for assessing the penalty or suspending or revoking the permit. If a petition has
7 been filed opposing the issuance of the permit or asking for its suspension or
8 revocation, a copy of the petition shall accompany the notice or summons. All
9 notices or summonses shall be either delivered to the applicant or permittee in
10 person, transmitted by electronic means to the address designated by the permittee,
11 or sent by certified mail to the applicant or permittee and directed to him at the
12 mailing address as given in his last application for the permit. When so addressed
13 and mailed, notices or summonses shall be presumed to have been received by the
14 applicant or permittee. Service by electronic means is complete upon transmission
15 unless it is known transmission did not reach the address provided by the permittee.

16 * * *

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 451 Reengrossed 2026 Regular Session LaCombe

Abstract: Provides for electronic transmission of notices of hearings before the commissioner of the office of alcohol and tobacco control.

Present law requires official correspondence sent by the office of alcohol and tobacco control to be delivered in person or by registered or certified mail to the applicant or permittee at his business address. Further provides that the date of the notice shall not be less than 10 days nor more than 30 calendar days from the date of the hearing.

Proposed law changes present law to only require that the date of the notice shall not be less than 10 calendar days from the date of the hearing.

Proposed law changes present law to permit the delivery of a notice by electronic transmission. Further provides that service is complete upon delivery of the transmission unless it is known that the transmission did not reach the address.

(Amends R.S. 26:98, 295, and 919(A))