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DIGEST

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SB 215 Reengrossed

2016 Regular Session

Carter

Present law provides that any party aggrieved by a decision of the commissioner to withhold, suspend, or revoke a permit may, within 30 days of the notification of the decision, take a devolutive or suspensive appeal to the district court having jurisdiction of the applicant's or permittee's place of business.

Proposed law reduces the time from 30 days to 10 days after proper notification of the commissioner's decision for an applicant's appeal to a district court having jurisdiction of the applicant's place of business.

Proposed law adds that a suspensive appeal granted pursuant to present law that does not result in the reversal of a decision of the commissioner to withhold, suspend, or revoke a permit may subject the appellant to a fine of up to \$5,000 upon a finding by the court that the appeal is frivolous.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 26:920(B) and (C))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Judiciary to the reengrossed bill:

1. Reinstate present law right to a suspensive appeal of the commissioner's decision.
2. Add a fine of up to \$5,000 upon a finding by the court that the appeal is frivolous.
3. Technical amendments.