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SENATE BILL NO. 76

BY SENATOR TALBOT

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

AN ACT

2	To enact R.S. 26:794.1, relative to the Office of Alcohol and Tobacco Control; to provide
3	relative to permits; to provide for exception permits for certain establishments; to
4	provide for qualifications and limitations; and to provide for related matters.
5	Be it enacted by the Legislature of Louisiana:
6	Section 1. R.S. 26:794.1 is hereby enacted to read as follows:
7	§794.1. Permit exception for hotel and lodging establishments
8	A. Notwithstanding any other provision of law to the contrary, an
9	applicant that meets the requirements set forth in R.S. 26:80 and 280 may be
10	issued a permit exception for hotel and lodging establishments, hereinafter
11	referred to as the "permit", for any establishment which consists of sleeping
12	rooms, cottages, or cabins.
13	B.(1) An applicant for the permit shall do all of the following:
14	(a) Meet all requirements of R.S. 26:80, 81, 280, and 281.
15	(b) Pay all fees for a Class A-General permit as required by R.S. 26:71
16	and 271.
17	(c) Comply with the provisions of R.S. 26:77 and 277.
18	(d) Prior to operation, acquire any local alcoholic beverage permit as
19	required by R.S. 26:74 and 274.
20	(2) The establishment's location shall meet all of the following
21	requirements:
22	(a) The location shall have a public habitable floor area of no less than
23	five hundred square feet dedicated to the exclusive use of the applicant's

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1	business.
2	(b) If the establishment operates a restaurant or dining area, the
3	restaurant or the dining area's primary function is to serve and take orders for
4	food, food items, and alcoholic beverages which may be served in conjunction
5	with meals for on-premise consumption.
6	(c) If the establishment operates a bar, the bar area shall have a
7	permanent wet bar equipped with a nonmovable sink and a backbar or similar
8	equipment for public display and to inform the public of brands and flavors
9	offered for sale.
10	(d) The location shall comply with all state and local building, fire,
11	health, and other applicable laws and ordinances.
12	(3) The applicant shall comply with all of the following with respect to
13	its operations:
14	(a) The applicant shall prohibit any person under eighteen years of age
15	from sitting or loitering at any bar on the premises.
16	(b) The applicant may sell and offer for sale only packaged alcoholic
17	beverages from the designated area, as indicated in its application. The
18	applicant may offer complimentary alcoholic beverages to anyone over the age
19	of twenty-one that is occupying its sleeping rooms, cottages, or cabins.
20	(c) The applicant shall solely control all alcohol sold and served.
21	(d) The applicant shall maintain control of the sale and service of all
22	alcoholic beverages under its permit and the proceeds from the sale of alcohol
23	may not be shared, whether directly or indirectly, with any third person not
24	listed on the application filed with the Office of Alcohol and Tobacco Control.
25	(e) If the applicant fails to purchase alcoholic beverages for more than
26	six consecutive months for a location, the applicant shall be required to
27	surrender any and all state alcoholic beverage permits issued for that location
28	by the Office of Alcohol and Tobacco Control.
29	(f) Samplings may be conducted in accordance with the site sampling

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regulations.

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APPROVED: \_\_\_\_\_

GOVERNOR OF THE STATE OF LOUISIANA