HLS 23RS-813 ORIGINAL

2023 Regular Session

HOUSE BILL NO. 433

1

BY REPRESENTATIVE KERNER

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

AN ACT

ALCOHOLIC BEVERAGES: Provides relative to alcohol infused ice cream

2	To amend and reenact R.S. 26:2(1) and 241(1) and to enact R.S. 26:2(35) and 241(34),
3	relative to the sale of alcoholic beverages of high and low alcoholic content; to
4	provide relative to the definition of alcoholic beverages; to provide relative to the
5	definition of ice cream; and to provide for related matters.
6	Be it enacted by the Legislature of Louisiana:
7	Section 1. R.S. 26:2(1) and 241(1) are hereby amended and reenacted and R.S.
8	26:2(35) and 241(34) are hereby enacted to read as follows:
9	§2. Definitions
10	For purposes of this Chapter, the following terms have the respective
11	meanings ascribed to them in this Section, unless a different meaning clearly appears
12	from the context:
13	(1) "Alcoholic beverages" means any fluid or solid, including ice cream,
14	capable of being converted into fluid, suitable for human consumption and having
15	an alcoholic content of more than six per cent by volume, including alcohol.
16	* * *
17	(35) "Ice cream" means any frozen dairy food made from cream or butterfat,
18	milk, sugar or other sweetener, and flavourings. Ice cream also includes frozen
19	custard which may contain eggs.
20	* * *

1	§241. Definitions
2	The following terms have the respective meanings ascribed to them except
3	in those instances where the context indicates a different meaning:
4	(1) "Alcoholic beverages" means any fluid or any solid, including ice cream,
5	capable of being converted into fluid, suitable for human consumption, and
6	containing more than one-half of one percent alcohol by volume, including malt,
7	vinous, spirituous, alcoholic or intoxicating liquors, beer, porter, ale, stout fruit
8	juices, cider, or wine.
9	* * *
10	(34) "Ice cream" means frozen dairy food made from cream or butterfat,
11	milk, sugar or other sweetener, and flavourings. Ice cream also includes frozen
12	custard which may contain eggs.
13	Section 2. The Louisiana State Law Institute is hereby authorized and directed to
14	arrange in alphabetical order and renumber the defined terms comprising R.S. 26:2 and 241.

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 433 Original

2023 Regular Session

Kerner

Abstract: Authorizes the sale of ice cream as an alcoholic beverage with low and high alcoholic content.

Present law provides for the definition of "alcoholic beverages" for low and high alcoholic content beverages.

<u>Proposed law</u> retains <u>present law</u> and adds ice cream to the definition.

Proposed law defines "ice cream".

(Amends R.S. 26:2(1) and 241(1); Adds R.S. 26:2(35) and 241(34))