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## DIGEST

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HB 1053 Reengrossed

2026 Regular Session

Ventrella

**Abstract:** Redefines "dealer" and "retail dealer" for purposes of alcohol permits and provides relative to businesses offering complimentary services.

Present law defines "dealer," for purposes of issuing an alcohol permit, as any person who, as a business, manufactures, blends, rectifies, distills, processes, imports, stores, uses, handles, holds, sells, offers for sale, solicits orders for the sale of, distributes, delivers, serves, or transports any alcoholic beverage in the state of La.

Proposed law retains present law but provides that "dealer" does not mean a retailer of goods or services whose business operations do not include the sale of alcoholic beverages, when the retailer offers an alcoholic beverage to one or more customers on a complimentary basis and only as incidental to its principal business.

Proposed law further provides that this service does not constitute engaging in the business of dealing in alcoholic beverages and does not require an alcohol permit, provided that all alcoholic beverages are purchased from a retailer licensed in the state of La.

Proposed law defines "complimentary service" as providing an alcoholic beverage to a patron, customer, or guest at no charge.

Proposed law provides that businesses that offer complimentary alcoholic beverages do not need an alcohol permit provided they comply with the following conditions:

- (1) All costs associated with complimentary service are borne exclusively by the business.
- (2) No manufacturer, wholesaler, or retailer that has an alcohol permit can directly or indirectly subsidize, donate, discount, or otherwise defray the cost of any alcoholic beverage offered as a complimentary service.
- (3) A business offering complimentary service remains subject to all applicable state and local ordinances including excise, sales, and consumption taxes.
- (4) A business offering alcoholic beverages on a complimentary basis cannot advertise, operate a backbar, provide more than two servings no greater than standard industry sizes per person per day, or serve alcoholic beverages to any person under 21 years of age or to any visibly intoxicated person.

Proposed law provides that the exemption from having a permit does not apply to any business that is otherwise required to hold a permit.

Proposed law permits the commissioner of the office of alcohol and tobacco control (ATC) to adopt rules and regulations in accordance with the APA to implement the provisions relative to complimentary service.

Present law defines "retail dealer," for purposes of issuing an alcohol permit, as every person who offers for sale, exposes for sale, has in his possession for sale or distribution, or sells alcoholic beverages in any quantity to persons other than licensed wholesale or retail dealers.

Proposed law retains present law but provides that "retail dealer" does not mean a retailer of goods or services whose business operations do not include the sale of alcoholic beverages, when the retailer offers an alcoholic beverage to one or more customers on a complimentary basis and only as incidental to its principal business.

Proposed law further provides that this service does not constitute engaging in the business of dealing in alcoholic beverages and does not require an alcohol permit, provided that all alcoholic beverages are purchased from a retailer licensed in the state of La.

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

(Amends R.S. 26:2(7) and 241(24); Adds R.S. 26:4 and 273.1)

#### Summary of Amendments Adopted by House

##### The House Floor Amendments to the engrossed bill:

1. Provide for exemptions from the requirements for having alcohol permits for businesses that provide "complimentary services" to patrons.
2. Provide eligibility requirements for exemption.
3. Authorize the commissioner to adopt rules to effectuate proposed law relative to complimentary services.