

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Judiciary to Reengrossed Senate Bill No. 55 by Senator Murray

AMENDMENT NO. 1

On page 1, line 2, change "R.S. 26:359(A)" to "R.S. 26:85(6), 354(A), 359(A)" and change "(B)(1)(h)" to "(B)(1)(c) and (h)"

AMENDMENT NO. 2

On page 1, line 4, after "consumers;" and before "and" insert "to provide for the amount of wine which may be shipped directly to consumers; to provide for reporting periods of such shipments; to provide for the time period for payment of taxes for such shipments;"

AMENDMENT NO. 3

On page 1, delete lines 7 and 8 in their entirety and insert the following:

"Section 1. R.S. 26:85(6), 354(A), 359(A), the introductory paragraph of 359(B)(1), (B)(1)(c) and (h), and (C)(2) and (3) and (D) are hereby amended and reenacted to read as follows:

§85. Combination of manufacturer, wholesale, ~~and/or~~ and retail business prohibited; exceptions

Except as provided in Paragraphs (1) through (6) of this Section, no person shall, at the same time, engage in business as a manufacturer or wine producer and as a wholesaler, as a wholesaler and as a manufacturer or wine producer, as a manufacturer or wine producer and as a retailer, as a retailer and as a manufacturer or wine producer, as a wholesaler and as a retailer, or as a retailer and as a wholesaler of any regulated beverage. However:

* * *

(6) Notwithstanding any other provision of law to the contrary, wine producers who operate one or more wineries may sell and ship directly to a consumer in Louisiana provided that the total amount of sparkling wine or still wine shipped to any single household address ~~does not exceed forty-eight seven hundred fifty milliliter bottles~~ in seven hundred fifty milliliter bottles, not to exceed one hundred forty-four bottles per adult person per household address per calendar year.

* * *

§354. Payment and reporting of taxes; discounts; rules and regulations; enforcement; forfeitures and penalties; redemption of tax stamps

A.(1) Except as provided in Paragraph (2) of this Subsection, every ~~Every~~ manufacturer or wholesaler of beverages of high alcoholic content shall file with the secretary a monthly report on or before the fifteenth day of the month succeeding the period covered by the report. The report shall show sales or other handling of beverages of high alcoholic content and such other information as the secretary may require by regulation.

(2) Every wine producer, manufacturer, or retailer who sells and ships wine directly to a consumer in Louisiana as provided in R.S. 26:359(B) shall report and pay all applicable taxes quarterly as provided in R.S. 26:359(D).

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1 AMENDMENT NO. 4

2 On page 2, between lines 8 and 9 insert the following:

(c) The total amount of sparkling wine or still wine shipped ~~does not exceed forty-eight seven hundred fifty milliliter bottles in seven hundred fifty milliliter bottles, not to exceed one hundred forty-four bottles per adult person per household address~~ per calendar year ~~per adult person per household address~~.