

SENATE SUMMARY OF HOUSE AMENDMENTS

SB 115 By Senator Walsworth

KEYWORD AND SUMMARY AS RETURNED TO THE SENATE

ALCOHOLIC BEVERAGES: Provides relative to fingerprinting of certain applicants for alcoholic beverage permits. (1/1/2012)

SUMMARY OF HOUSE AMENDMENTS TO THE SENATE BILL

1. Changed effective date from signature of the governor to Jan. 1, 2012.
2. Removed proposed law provisions regarding the fingerprinting of spouses of alcoholic beverage permit applicants.
3. Added that fingerprints shall not be required unless the ATC commissioner requests fingerprints based upon credible evidence that the person may not meet suitability requirements.
4. Added that suitability verification may be obtained from spouses and others in accordance with rules adopted pursuant to the APA.

DIGEST OF THE SENATE BILL AS RETURNED TO THE SENATE

Present law requires that all applicants for a liquor license submit their fingerprints upon application for a license.

Present law, regarding high and low alcohol beverage permits, provides several qualification for applicants. Also requires that the spouse of an applicant meet the same qualifications.

Proposed law requires all applicants for a liquor license, members of a partnership recognized by Louisiana law, the officers and directors of a corporation, the stockholders of a corporation, and members of a limited liability company owning more than five percent of such a corporation or company and all other persons required to possess the same qualifications required of the applicant to submit their fingerprints when the application for the permit is submitted.

Present law provides that the ATC commissioner may accept from a publicly traded corporation, other than any gaming entity, the necessary documentation of managers, agents, servants, employees, or other representatives and three officers of the corporation in full satisfaction of suitability requirements for an alcoholic beverage permit.

Proposed law retains the provisions of present law and adds other corporations and entities in addition to publicly traded corporations.

Proposed law provides that in order to determine the suitability of the spouses of alcoholic beverage permit applicants, and all other persons required to possess the same qualifications required of the applicant, the office of alcohol and tobacco control shall require such persons to provide verification of suitability in accordance with rules adopted by the commissioner pursuant to the Administrative Procedure Act.

Proposed law further provides that fingerprints shall not be required unless the commissioner requests fingerprints based upon credible information that a person may not meet the qualifications of an applicant

Effective January 1, 2012.

(Amends R.S. 26:80(C)(3), (D), and (H) and 280(C)(2), (D), and (H))

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