
The legislative instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Michelle Ducharme.

CONFERENCE COMMITTEE REPORT DIGEST

Senate Bill No. 115 by Senator Walsworth

Keyword and summary of the bill as proposed by the Conference Committee

ALCOHOLIC BEVERAGES. Requires spouses of liquor license applicants to provide their fingerprints with the applicant's application. (gov sig)

Report rejects House amendments which would have:

1. Removed provisions requiring the spouse of an applicant for an alcoholic beverage permit submit fingerprints.
2. Added that fingerprints shall only be requested when the commissioner for the office of alcohol tobacco control (ATC) determines that, based upon credible evidence, the person may not meet suitability requirements.
3. Added that suitability verification may be obtained from spouses and others in accordance with rules adopted pursuant to the Administrative Procedure Act (APA).
5. Changed the effective date from signature of the governor to Jan. 1, 2012.

Report amends the bill to:

1. Remove provisions requiring the spouse of an applicant for an alcoholic beverage permit submit fingerprints.
2. Add that fingerprints shall only be requested when the ATC commissioner determines that, based upon credible evidence, the person may not meet suitability requirements.
3. Add that suitability verification may be obtained from spouses and others in accordance with rules adopted pursuant to the APA.
4. Keep effective date upon signature of the governor.

Digest of the bill as proposed by the Conference Committee

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 commissioner for the office of alcohol tobacco control 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 upon signature of the governor.

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