
DIGEST

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Champagne

HB No. 1098

Abstract: Establishes one permit for tobacco retail dealers by eliminating the tobacco registration certificate.

Present law requires the commissioner to issue certificates and to adopt rules and regulations that provides identifying information on the face of the certificate or permit.

Proposed law retains present law except that it removes the requirement relative to a registration certificate.

Present law provides for a retail dealer registration certificate to be issued to any dealer, other than a wholesale dealer or vending machine operator for each retail outlet where cigars, cigarettes, or the tobacco products are offered for sale either over the counter or by vending machine.

Proposed law deletes present law.

Present law provides for fees relative to registration certification or permit for each year or any portion thereof as follows:

- (1) \$25 for a retail dealer registration certificate.
- (2) \$75 for a retail dealer permit.
- (3) \$5 for a vending machine.
- (4) \$75 for a wholesale dealer.
- (5) Requires the commissioner of the ATC to promulgate rules to issue a single permit for bona fide La. tobacconists, which allows the tobacconist to operate as a retail tobacco dealer and as a wholesale tobacco dealer and any fee assessed will be set at the current rate in effect on Aug. 15, 2010.

Proposed law retains present law except that it deletes the retail dealer registration certificate fee and changes the retail dealer permit fee from \$75 to \$25.

Present law requires that each registration certificate is valid for only one year and authorizes the

commissioner to issue registration certificates that are valid for two years if the applicant is in good standing with the ATC.

Proposed law deletes present law.

Present law authorizes the commissioner to establish by administrative rule, a system by which the expiration dates of the registration certificates are staggered throughout the year and allows the certificates to vary in length from six months to 24 months.

Proposed law deletes present law.

Present law provides that any person holding registration certificates to annually file applications for renewal for the ensuing year and pay the fees in accordance with present law and if the commissioner authorized permits that were valid for two years, the certificate holder shall file for renewal and pay fees in accordance with the rules adopted by the commissioner pursuant to the Administrative Procedure Act.

Proposed law deletes present law.

Present law requires a delinquency penalty of 25% if the registration certificate fees are not more than 30 days past the established date for payment and an additional 25% for each additional 30 days the payment of fees are not paid and a notice of violation may be issued by the commissioner.

Proposed law deletes present law.

Present law provides for general requirements, violations, and civil penalties relative to registration certificates or permits.

Proposed law retains present law except all references to registration certificates are deleted from present law.

(Amends R.S. 26:902 through 905, 906(B), (C), (D), and (E), 912, 913, 918(B), and 919(A), (E), and (F); Repeals R.S. 26:907 and 915)