

HOUSE SUMMARY OF SENATE AMENDMENTS

House Bill No. 496 by Representative Arnold

ALCOHOLIC BEVERAGE PERMT: Provides relative to wine and malt beverage permits

Synopsis of Senate Amendments

1.

Provides that the proposed law shall not supersede the provisions of present law which provides that no permit shall be granted in contravention of municipal or parish ordinances adopted pursuant to zoning laws of the state.

2.

Makes technical amendments.

Digest of Bill as Finally Passed by Senate

Present law requires the operator of certain restaurants and cafeterias, where food and drink including light wine is legally sold for consumption on the premises in connection with the consumption of food, to obtain an annual permit from the commissioner before commencing or engaging in the business of handling the light wine and shall pay \$30 for the permit.

Proposed law changes the permit requirement for the operator of a restaurant or cafeteria to the operator of any alcoholic beverage outlet where wine or malt beverages are sold for consumption on the premises or sold in factory-sealed containers for transportation and consumption off the premises.

Present law defines "light wine" to mean any non-effervescent alcoholic beverage, known as still wine, derived from the juice of any fruit or synthesis thereof, of an alcoholic content of not more than 14% by volume.

Proposed law changes the term "light wine" to "wine" and provides for the definition to mean any effervescent or non-effervescent alcoholic beverage derived from the juice of any fruit or synthesis thereof, of an alcoholic content more than 6% by volume. Proposed law further provides that wine is exclusive of all "liquors", whether they be defined as intoxicating or spirituous liquors, which are produced by distillation.

Proposed law defines "malt beverages" to mean beverages obtained by alcoholic fermentation of an infusion or by a brewing process or concoction of barley or other grain, malt, sugars, and hops in water, including among other things, ale, beer, stout, porter and the like and containing more than 6% alcohol by volume. Proposed law further provides that malt beverages are exclusive of all "liquors", whether they be defined as intoxicating or spirituous liquors, which are produced by distillation.

Present law requires the provisions of law relative to alcohol beverage control to apply only to restaurants holding "R" permits.

Proposed law repeals present law.

Proposed law prevents the provisions of proposed law from superseding present law, which provides that no permit shall be granted in contravention of municipal or parish ordinances adopted pursuant to zoning laws of the state.

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

(Amends R.S. 26:72(A), (C), and (D))