

Regular Session, 2012

HOUSE BILL NO. 522

BY REPRESENTATIVE ARNOLD

SALES/TOBACCO TRADE: Prohibits alcoholic beverage and tobacco licensees from accepting food stamps as payment for products

1 AN ACT

2 To amend and reenact R.S. 26:90(A)(12) and 286(A)(12) and to enact R.S. 26:911(A)(5) and  
3 (6), relative to the sale of alcoholic beverages and tobacco products; to prohibit the  
4 acceptance of Supplemental Nutrition Assistance Program electronic benefit cards  
5 as payment for tobacco products; to prohibit certain illegal activities involving  
6 controlled dangerous substances on or about a licensed premises; to make technical  
7 changes to corresponding provisions in the Alcoholic Beverage Control Law; and to  
8 provide for related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 26:90(A)(12) and 286(A)(12) are hereby amended and reenacted and  
11 R.S. 26:911(A)(5) and (6) are hereby enacted to read as follows:

12 §90. Acts prohibited on licensed premises; suspension or revocation of permits

13 A. No person holding a retail dealer's permit and no agent, associate,  
14 employee, representative, or servant of any such person shall do or permit any of the  
15 following acts to be done on or about the licensed premises:

16 \* \* \*

17 (12) ~~Accept food stamp coupons~~ Supplemental Nutrition Assistance Program  
18 (SNAP) electronic benefit transfer cards as payment for alcoholic beverages in  
19 violation of the provisions of ~~Public Law 88-525 and regulation 1600.2(i) issued~~

1 ~~pursuant to that Section of the federal statute by the United States secretary of~~  
2 ~~agriculture 7 U.S.C. 2011 et seq. and any federal regulations issued pursuant thereto.~~

3 \* \* \*

4 §286. Acts prohibited on licensed premises; suspension or revocation of permits

5 A. No person holding a retail dealer's permit and no servant, agent, or  
6 employee of the permittee shall do any of the following acts upon the licensed  
7 premises:

8 \* \* \*

9 (12) ~~Accept food stamp coupons~~ Supplemental Nutrition Assistance Program  
10 (SNAP) electronic benefit transfer cards as payment for alcoholic beverages in  
11 violation of the provisions of ~~Public Law 88-525 and Regulation 1600.2(i) issued~~  
12 ~~pursuant to that Section of the federal statute by the United States Secretary of the~~  
13 ~~Department of Agriculture 7 U.S.C. 2011 et seq. and any federal regulations issued~~  
14 pursuant thereto.

15 \* \* \*

16 §911. Acts prohibited

17 A. No person, agent, associate, employee, representative, or servant of any  
18 person shall permit any of the following acts to be done on or about any premises  
19 which sells or offers for sale tobacco products:

20 \* \* \*

21 (5) Accept Supplemental Nutrition Assistance Program (SNAP) electronic  
22 benefit cards as payment for tobacco products in violation of the provisions of 7  
23 U.S.C. 2011 et seq. and any federal regulations issued pursuant thereto.

24 (6) Illegally sell, offer for sale, possess, or permit the consumption of any  
25 type of controlled dangerous substance on or about the licensed premises.

26 \* \* \*

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**DIGEST**

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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Arnold

HB No. 522

**Abstract:** Prohibits the acceptance of Supplemental Nutrition Assistance Program (SNAP) electronic benefit cards for the purchase of tobacco products and prohibits certain illegal activities involving controlled dangerous substances on licensed premises.

Present law prohibits persons holding a retail dealer's permit from accepting food stamps as payment for alcoholic beverages in violation of federal law.

Proposed law retains present law and changes the reference from "food stamps" to "Supplemental Nutrition Assistance Program (SNAP) electronic benefit cards" and corrects the citation to federal law.

Proposed law prohibits any person, agent, associate, employee, representative, or servant of any person from accepting Supplemental Nutrition Assistance Program (SNAP) electronic benefit cards for the purchase of tobacco products on or about any premises which sell or offers for sale tobacco products.

Proposed law prohibits the illegal selling, offering for sale, possession, or the consumption of any type of controlled substance on or about any premises licensed to sell tobacco products.

(Amends R.S. 26:90(A)(12) and 286(A)(12); Adds R.S. 26:911(A)(5) and (6))

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Judiciary to the original bill.

1. Changed all references from "food stamp coupons" to "Supplemental Nutrition Assistance Program (SNAP) electronic benefit transfer cards".
2. Added a prohibition on certain illegal activities involving controlled dangerous substances on or about premises licensed to sell tobacco products.
3. Made technical amendments.