

Regular Session, 2012

SENATE BILL NO. 117

BY SENATOR MORRELL

CIGARS/CIGARETTES. Prohibits alcoholic beverage licensees from accepting nutritional assistance benefits as payment for alcohol and tobacco products. (8/1/12)

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)
3 and (6), relative to the office of alcohol and tobacco control; to prohibit the
4 acceptance of nutritional assistance benefits for the purchase of alcohol or tobacco
5 products; to prohibit certain illegal activities on or about licensed premises; and to
6 provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

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

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

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

14 * * *

15 (12) Accept ~~food stamp coupons~~ **Supplemental Nutrition Assistance**
16 **Program "SNAP" electronic benefit transfer cards** as payment for alcoholic
17 beverages in violation of the provisions of ~~Public Law 88-525 and regulation~~

1 1600.2(i) issued pursuant to that Section of the federal statute by the United States
2 secretary of agriculture 7 U.S.C. 2011 et seq., and any federal regulation issued
3 pursuant thereto.

4 * * *

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

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

9 * * *

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

16 * * *

17 §911. Acts prohibited

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

21 * * *

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

26 **(6) Illegally sell, offer for sale, possess, or permit the consumption on or**
27 **about the licensee's premises of any kind or type of controlled dangerous**
28 **substance.**

29 * * *

The original instrument was prepared by Cathy R. Wells. The following digest, which does not constitute a part of the legislative instrument, was prepared by Nancy J. Vicknair.

DIGEST

Morrell (SB 117)

Present law prohibits the acceptance of food stamp coupons for the payment of alcoholic beverage products.

Proposed law changes the references in present law from food stamp coupons to Supplemental Nutrition Assistance Program "SNAP" electronic benefit transfer cards.

Present law prohibits certain acts on or about any premises which sells or offers for sale tobacco products.

Proposed law retains present law and further prohibits any person, agent, associate, employee, representative, or servant of any person who sells or offers for sale tobacco products from accepting electronic benefit transfer cards as payment for tobacco products in violation of federal provisions.

Proposed law prohibits illegal sale, offering for sale, possessing, or permitting the consumption on or about a licensed premises of any kind or type of controlled dangerous substance.

Effective August 1, 2012.

(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 Senate

Committee Amendments Proposed by Senate Committee on Judiciary B to the original bill.

1. Correct citations.
2. Add prohibition on illegal sale, offering for sale, possessing, or permitting the consumption on or about a licensed premises of any kind or type of controlled dangerous substance.

Senate Floor Amendments to engrossed bill.

1. Make technical changes.