

Regular Session, 2010

SENATE BILL NO. 188

BY SENATOR AMEDEE

FEES/LICENSES/PERMITS. Provides relative to requirements for the issuance of wholesale alcoholic beverage permits. (8/15/10)

1 AN ACT

2 To amend and reenact R.S. 26:82(A)(2), relative to requirements for the issuance of
3 wholesale alcoholic beverage permits; to provide for requirements of delivery
4 equipment; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 26:82(A)(2) is hereby amended and reenacted to read as follows:

7 §82. Issuance of wholesale permit

8 A. No wholesale permit shall be issued or held after issuance by any person
9 unless at all times he meets the standards set forth as follows:

10 * * *

11 (2) Maintains delivery equipment which shall be leased; ~~or~~ owned; ~~or~~ **and**
12 dedicated to his **primary** use **for the distribution and delivery of alcoholic**
13 **beverages. The requirement that the delivery equipment be dedicated to a**
14 **primary use for the distribution and delivery of alcoholic beverages shall not**
15 **apply to any person continuously holding a wholesale permit issued pursuant**
16 **to this Chapter for the three years immediately prior to January 1, 2010.**

17 * * *

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Alan Miller.

DIGEST

Amedee (SB 188)

Present law requires that holders of wholesale alcoholic beverage permits at all times meet the following standards:

1. Maintain warehouse space either owned or leased by the wholesaler, or dedicated to his use in a public warehouse, and:
 - (a) Such space be sufficient to store at one time a stock of liquor equal to 10% or more of the wholesaler's annual case volume of liquor sales to retailers within this state, or
 - (b) Maintain at all times in the warehouse a stock of liquor owned by him, not consigned, nor then sold, consisting of not less than 5% of his annual sales to retailers, and whose cost of acquisition is \$50,000 or more.
2. Maintain delivery equipment that is leased, owned, or dedicated to his use.
3. Maintain brand representation with at least one distillery, or liquor manufacturer.
4. Maintain sales of liquor to retailers generally within his immediate trade area, making sales to at least 20% of the retailers in said area with separate sales to retailers accounting for at least 50% of the gallonage handled by him.

Proposed law retains present law, but clarifies that holders of wholesale alcoholic beverage permits maintain delivery equipment that is leased or owned and dedicated to the primary use for the distribution and delivery of alcoholic beverages. The requirement that the delivery equipment be dedicated to a primary use for the distribution and delivery of alcoholic beverages will not apply to any person continuously holding a wholesale permit issued pursuant to this Chapter for the three years immediately prior to January 1, 2010.

Effective August 15, 2010.

(Amends R.S. 26:82(A)(2))