

SENATE BILL NO. 64

BY SENATOR MORRISH

1 AN ACT

2 To amend and reenact R.S. 26:85.1, relative to alcohol permits; to provide for Class A-  
3 General retail permits; to provide for Class B Retail Liquor Permit; to allow  
4 manufacturers to obtain a Class A-General retail permit or a Class B Retail Liquor  
5 Permit, or both, under certain circumstances; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 26:85.1 is hereby amended and reenacted to read as follows:

8 §85.1. Combination of manufacturing and retail business permitted; certain  
9 circumstances

10 Notwithstanding any other provision of law to the contrary, ~~any person who~~  
11 ~~holds a manufacturer's permit issued by the state of Louisiana as of April 1, 2003,~~  
12 ~~and has been a licensed liquor distiller continuously since January 1, 1997, and is~~  
13 ~~located in a facility within an historic preservation district or within one mile of an~~  
14 ~~historic preservation district and whose facility provides guided tours to visitors of~~  
15 ~~that facility, is eligible to apply for and receive a Class B Retail Liquor Permit, if~~  
16 ~~otherwise eligible, to sell no more than two thousand five hundred cases of the~~  
17 ~~alcoholic beverage manufactured on the premises annually.~~ the commissioner may  
18 issue a Class A-General retail permit or a Class B Retail Liquor Permit, or  
19 both, to any person who holds a valid manufacturer's permit issued by the state  
20 of Louisiana for a portion of a manufacturer's business premises where the  
21 manufacturer engages in the making, blending, rectifying, or processing of any  
22 alcoholic beverage in Louisiana so long as the manufacturer complies with R.S.  
23 26:71.1(1)(f) and the following:

1                   (1) No person under the age of eighteen years is allowed in the portion  
2                   of the premises permitted as a Class A-General retail establishment.

3                   (2) Only alcoholic beverages manufactured at the licensed premises shall  
4                   be sold, served, or consumed.

5                   (3) The manufacturer shall not sell any alcoholic beverages for  
6                   transportation off the premises to any other licensed alcoholic beverage retail  
7                   dealer.

8                   (4) The manufacturer shall not sell more than one case, as defined in  
9                   R.S. 26:351, to the same person each thirty-day period.

10                  (5)(a) The manufacturer shall file all excise tax reports and pay all  
11                  excise taxes imposed pursuant to this Title in connection with all alcoholic  
12                  beverages served or sold at its Class A-General retail establishment.

13                  (b) The manufacturer shall file all excise tax reports and pay all excise  
14                  taxes imposed pursuant to this Title in connection with all alcoholic beverages  
15                  sold at its Class B retail establishment.

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PRESIDENT OF THE SENATE

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_