

Regular Session, 2014

SENATE BILL NO. 249

BY SENATOR MORRELL

CIGARS/CIGARETTES. Provides relative to the issuance and ownership of certain permits issued by the office of alcohol and tobacco control. (gov sig)

1 AN ACT
2 To amend and reenact R.S. 26:912(A), relative to certain permits issued by the office of
3 alcohol and tobacco control; to provide relative to the requirements for the issuance
4 and ownership of such permits; and to provide for related matters.
5 Be it enacted by the Legislature of Louisiana:
6 Section 1. R.S. 26:912(A) is hereby amended and reenacted to read as follows:
7 §912. Permits; necessity of display; penalties
8 A. A permit issued under this Chapter is a personal privilege and cannot be
9 transferred. If over fifty-one percent of a corporation is sold or transferred during the
10 period for which a permit was issued, a new permit must be applied for, and the new
11 owner must comply with the provisions set forth in this Chapter. If the holder of the
12 permit is an association, partnership, ~~or~~ limited partnership, **limited liability**
13 **company, or any other legal entity,** a change of the controlling interest shall
14 constitute a change of ownership under this Chapter. If the business is physically
15 relocated during such period, the registration certificate holder or permittee ~~must~~
16 **shall** notify the commissioner in writing so that proper change may be noted thereon.
17 * * *

1 Section 2. This Act shall become effective upon signature by the governor or, if not
2 signed by the governor, upon expiration of the time for bills to become law without signature
3 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
4 vetoed by the governor and subsequently approved by the legislature, this Act shall become
5 effective on the day following such approval.

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

DIGEST

Morrell (SB 249)

Present law prohibits tobacco permits from being transferred.

Present law provides that if over 51% of a corporation is sold or transferred during the period for which a permit was issued, a new permit must be applied for, and the new owner must comply with provisions of law. Present law further provides that if the holder of the permit is an association, partnership, or limited partnership, a change of the controlling interest constitutes a change of ownership.

Proposed law retains present law and extends holder of a permit to include limited liability company or any other legal entity.

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

(Amends R.S. 26:912(A))