ENROLLED

2020 Second Extraordinary Session

HOUSE RESOLUTION NO. 17

BY REPRESENTATIVES ECHOLS AND THOMPSON

A RESOLUTION

To urge and request the Louisiana Department of Health and the office of alcohol and tobacco control in the Department of Revenue to grant each bar and restaurant owner and in-state manufacturer a permit extension, at no cost to the owner or manufacturer, for a period equal in duration to the total time that the declared state of public health emergency for COVID-19 is in effect.

WHEREAS, on March 11, 2020, Governor John Bel Edwards issued Proclamation Number 25 JBE 2020 to declare a statewide public health emergency due to the imminent threat posed to Louisiana by COVID-19; and

WHEREAS, R.S. 40:4(A)(1)(c)(i) provides that, in order to protect the public health, the state health officer of the Louisiana Department of Health shall promulgate rules and regulations relative to retail food establishments; and

WHEREAS, these rules and regulations comprise a segment of the state sanitary code, LAC 51:XXIII.101 et seq., and provide that such food establishments include restaurants, cafeterias, caterers, delicatessens, bars, lounges, and any other facilities that prepare food for individual service or for a group of people; the rules and regulations also require certain permits for such establishments; and

WHEREAS, R.S. 40:31.37 requires the Louisiana Department of Health to charge a fee for each permit issued to a food establishment in accordance with the state sanitary code; and

WHEREAS, R.S. 26:71 provides that, before engaging in the business of manufacturing, supplying, or dealing in alcoholic beverages, all persons shall obtain from the commissioner of alcohol and tobacco control a permit to conduct each separate business and shall pay the commissioner a fee not to exceed the amounts provided by law; and

WHEREAS, R.S. 26:792 authorizes the commissioner of alcohol and tobacco control to issue and renew permits required by law for persons engaging in the business of dealing in beverages of high and low alcoholic content, provided that no wholesale permit shall be issued or renewed without the applicant's first furnishing evidence to the commissioner that the bond required under R.S. 26:348 has been secured.

THEREFORE, BE IT RESOLVED that the House of Representatives of the Legislature of Louisiana does hereby urge and request the Louisiana Department of Health and the office of alcohol and tobacco control in the Department of Revenue to grant each bar and restaurant owner and in-state manufacturer a permit extension, at no cost to the owner or manufacturer, for their establishment for a period equal in duration to the total time that the declared state of public health emergency for COVID-19 is in effect.

SPEAKER OF THE HOUSE OF REPRESENTATIVES