

Regular Session, 2002

HOUSE BILL NO. 227

BY REPRESENTATIVE BROOME

TAX/ALCOHOLIC BEVERAGE: Levies an additional alcoholic beverage tax and dedicates the proceeds for education and training of addicted persons and treatment of addictive disorders

1 AN ACT

2 To amend and reenact R.S. 26:344 and to enact R.S. 26:342.1 and 344.1,
3 relative to the alcoholic beverage tax; to levy an additional alcoholic
4 beverage tax; to create the Hope Technology Fund; to provide for
5 deposit of proceeds from the additional tax into the fund; to provide for
6 use of monies in the fund; to provide for an effective date; and to
7 provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 26:344 is hereby amended and reenacted and R.S.
10 26:342.1 and 344.1 are hereby enacted to read as follows:

11 §342.1. Additional tax on certain alcoholic beverages

12 A. In addition to the taxes collected under authority of R.S.
13 26:341, the following excise taxes are levied on all beverages of high
14 alcoholic content handled in Louisiana:

- 15 (1) Liquors at the rate of one dollar and forty-six cents per liter.
16 (2) Sparkling wines at the rate of fifty-seven cents per liter.
17 (3) Still wines:

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

1 the taxable beverages are found. In no case, however, shall there be a
2 duplication of taxation.

3 §344.1. Hope Technology Fund

4 A. There is hereby established as a special fund in the state
5 treasury the "Hope Technology Fund", hereinafter referred to as the
6 "fund". After compliance with the requirements of Article VII, Section
7 9(B) of the Constitution of Louisiana relative to the Bond Security and
8 Redemption Fund, the state treasurer shall annually deposit in and
9 credit to the fund an amount equal to the avails of the excise tax on
10 alcoholic beverages provided for and collected under the authority of
11 R.S. 26:342.1. The monies in the fund shall be available for
12 appropriation exclusively for the purposes provided for in Subsection
13 B of this Section. The monies in the fund shall be invested by the state
14 treasurer in the same manner as monies in the state general fund. All
15 earnings on investment of monies in the fund shall be credited to the
16 fund. All unexpended and unencumbered monies remaining in the fund
17 at the end of the fiscal year shall remain in the fund. The state treasurer
18 shall report the status of the fund at least quarterly to the secretary of
19 the Department of Health and Hospitals and the assistant secretary of
20 the office of addictive disorders.

21 B. The monies in the fund shall be appropriated annually to the
22 Department of Health and Hospitals, office of addictive disorders, to
23 be used for the following purposes:

24 (1) Twenty million dollars for the creation, in conjunction with
25 the Department of Economic Development, of a pilot program to
26 provide for a community technology addictive support system in East
27 Baton Rouge, Orleans, and Rapides parishes to provide access to

1 technical education and job training for the recovery of addicted
2 persons.

3 (2) Ten million dollars for developing an infrastructure for
4 delivery of statewide training, education, and research through
5 partnership with parish technology and resource centers.

6 (3) Twelve million dollars to support the federal Safe and Drug
7 Free School Act of 1994.

8 (4) The remainder of the monies in the fund shall be
9 appropriated to the Department of Health and Hospitals, office of
10 addictive disorders, for the treatment and prevention of addictive
11 disorders.

12 C. The monies appropriated from the fund shall not be used to
13 displace, replace, or supplant appropriations from the state general fund
14 below the amount of state general fund appropriations to the
15 Department of Health and Hospitals, office of addictive disorders, for
16 Fiscal Year 2002-2003.

17 Section 2. This Act shall become effective on July 1, 2002; if vetoed
18 by the governor and subsequently approved by the legislature, this Act shall
19 become effective on July 1, 2002, or on the day following such approval by
20 the legislature, whichever is later.

DIGEST

The digest printed below was prepared by House Legislative Services. It
constitutes no part of the legislative instrument.

Broome

HB No. 227

Abstract: Levies an additional alcoholic beverage tax and dedicates the
proceeds to the Hope Technology Fund for education and training of
addicted persons and treatment of addictive disorders.

Present law provides for following rates of tax on beverages of high alcoholic content:

- (1) Liquors - 66¢ per liter.
- (2) Sparkling wines - 42¢ per liter.
- (3) Still wines with not more than 14% alcohol - 3¢ per liter.
- (4) Still wines with between 14% and 24% alcohol - 6¢ per liter.
- (5) Still wines with more than 24% alcohol - 42¢ per liter.
- (6) Malt beverages -\$10 per barrel.
- (7) Native wines with between 14% and 24% alcohol - 6¢ per liter.
- (8) Native wines with not more than 14% alcohol - 3¢ per liter.

Proposed law provides for an additional tax on alcoholic beverages of high alcoholic content at the following rates:

- (1) Liquors - \$1.46 per liter.
- (2) Sparkling wines - 57¢ per liter.
- (3) Still wines with not more than 14% alcohol - 36¢ per liter.
- (4) Still wines with between 14% and 24% alcohol - 37¢ per liter.
- (5) Still wines with more than 24% alcohol - 57¢ per liter.
- (6) Malt beverages -\$21.50 per barrel.
- (7) Native wines - 13¢ per liter.

Present law provides for a tax on beverages of low alcoholic content handled in La. of \$10 per barrel.

Proposed law provides for an additional tax on beverages of low alcoholic content handled in La. of \$21.50 per barrel.

Proposed law creates the Hope Technology Fund in the state treasury and dedicates all of the additional alcoholic beverage taxes to the fund. Provides that the monies in the fund shall be appropriated exclusively to the Dept. of Health and Hospitals, office of addictive disorders, for the following purposes:

- (1) \$20 million for the creation, in conjunction with the Dept. of Economic Development, of a pilot program to provide for a community technology addictive support system in East Baton Rouge, Orleans, and Rapides parishes to provide access to technical education and job training for recovery of addicted persons.

- (2) \$10 million for developing an infrastructure for delivery of statewide training, education, and research through partnership with parish technology and resource centers.
- (3) \$12 million to support the federal Safe and Drug Free School Act of 1994.
- (4) The remainder of the monies in the fund shall be used for the treatment and prevention of addictive disorders.

Effective July 1, 2002.

(Amends R.S. 26:344; Adds R.S. 26:342.1 and 344.1)