APPLICATION INFORMATION

For questions about or assistance with this application contact: (225) 925-4041

Who Must Complete This Application: Any person, corporation, partnership, LLC or other organization shall complete this application and obtain a permit before selling or engaging in the business of selling cigarettes, cigars, alternative nicotine products, vapor products or other tobacco products at retail. Note: Louisiana issues permits per location; thus a separate tobacco retail dealer application and permit is required for each “place of business.”

Permit Fees

<table>
<thead>
<tr>
<th>Permit Type</th>
<th>Fee</th>
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<tbody>
<tr>
<td>Retail Dealer Permit</td>
<td>$25.00</td>
</tr>
<tr>
<td>Tobacconist Permit</td>
<td>$100.00</td>
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<tr>
<td>Vending Machine Operator Permit</td>
<td>$75.00</td>
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<tr>
<td>Special Event Permit</td>
<td>$25.00</td>
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<tr>
<td>Vending Machine Permit</td>
<td>$5.00</td>
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Note: An Additional $50.00 is due for a Responsible Vendor fee if this location does not currently possess a valid alcoholic beverage permit.

Retail Dealer Permit Types

Retail Dealer: includes every dealer other than a wholesale dealer or manufacturer who sells or offers for sale cigars, cigarettes, or other tobacco products. A retail dealer permit shall be issued for each retail outlet where tobacco products are sold or offered for sale either over the counter or by vending machine.

Tobacconist: means any bona fide tobacco retailer engaged in receiving bulk smoking tobacco for the purpose of blending such tobacco for retail sale at a particular retail outlet where fifty percent or more of the total purchases for the preceding twelve months were purchases of tobacco products excluding cigarettes. Tobacconist does not include businesses primarily engaged in selling roll-your-own tobacco to be used by consumers to make cigarettes.

Vending Machine: means any mechanical, electric, or electronic self-service device which, upon insertion of money, tokens, or any other form of payment, automatically dispenses tobacco products. A vending machine permit shall be issued to the vending machine operator for each vending machine he operates and such permit shall be affixed to the front surface of the vending machine.

Vending Machine Operator: means any person who controls the use of one or more vending machines as to the supply of cigarettes or any tobacco products in the machine or the receipts from cigarettes vended through such machines. A vending machine operator permit shall be issued to a vending machine operator operating one or more vending machines.
General Definitions

**Alternative Nicotine Product**: means any non-combustible product containing nicotine that is intended for human consumption, whether chewed, absorbed, dissolved, or ingested by any other means.

**Delivery Sale**: means any sale of cigarettes to a consumer in the state where either (a) the purchase submits the order for such sale by means of a telephonic or other method of voice transmission, the mails or any other delivery service, or the Internet or other online service, or (b) the cigarettes are delivered by use of the mails or of a delivery service. A sale of cigarettes shall be a delivery sale regardless of whether the seller is located within or without this state. A sale of cigarettes not for personal consumption to a person who is a cigarette wholesale dealer or a cigarette retail dealer shall not be a delivery sale.

**Place of Business**: means the place where tobacco orders are received, or where the taxable tobacco articles are sold, or if sold by a retail dealer upon a railroad train or on or from any other vehicle, the vehicle on which or from which the taxable articles are sold by the retail dealer. It also includes the establishment where vending machine permits are located.

**Stamp**: means the impression, device, stamp, label or print manufactured or printed as prescribed by the secretary by the use of which tax levied hereunder is paid. By way of extension, and not limitation, the term “stamp” means any impression or character affixed to or which be stamped upon commodities by metered stamping machine or device by use of which the tax levied hereunder is paid.

**Tobacco Product**: means any cigar, cigarette, smokeless tobacco or smoking tobacco.

**Vapor Product**: means any non-combustible product containing nicotine or other substances that employs a heating element, power source, electronic circuit, or other electronic, chemical or mechanical means, regardless of shape size, that can be used to produce vapor from nicotine in a solution or other form. Vapor product includes any electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe or similar product or device.

Additional Information

- The business must be located within the State of Louisiana.
- Permits are valid for one year unless the business qualifies for a two year permit in accordance with LAC 55:VII.3109.
- Renewal dates are based on Parish code as listed in LAC 55:VII.3107.
- Retail dealers must purchase all tobacco products from Louisiana licensed wholesale dealers.
- Retail dealers must collect, report and remit sales tax on all sales of tobacco products.
- Delivery sales of cigarettes in and into Louisiana are **strictly prohibited**.
- All packs of cigarettes sold in Louisiana must bear a Louisiana tax stamp.
- Retail dealers must keep the permit on public display at the place of business.
- Retail permits are non-transferable and non-assignable.
- Retail dealers must comply with R.S. 14:91.6 relative to distribution of tobacco products.
- Retail dealers must comply with the terms of the “Prevention of Youth Access to Tobacco Law” under R.S. 14:91.8.
- Visit [www.atc.la.gov](http://www.atc.la.gov) for a current version of Louisiana’s tobacco laws and regulations.

**CHECKLIST OF ITEMS TO SUBMIT WITH APPLICATION**

- If incorporated, your application must include a copy of corporate charter and articles of incorporation.
- If a partnership, your application must include a copy of the partnership agreement.
- If an LLC, your application must include a copy of your organizational registration from the Louisiana Secretary of State.
- Application must be signed by the sole proprietor or by a duly authorized agent, partner or officer.
- Application must contain your Louisiana Tax ID number (10-digit number).
- If a tobaccoist, attach a list of the name and address of each of your intended suppliers.
- If any person with an ownership in the business has been convicted of a felony, you must provide a statement of the conviction and must include the charge, date of conviction, date of discharge and state of conviction.
- If vending machine operator, include a VM device form (included in application packet).
LOUISIANA TOBACCO RETAIL DEALER APPLICATION

Select the applicable permit classification:

☐ RETAIL DEALER ☐ TOBACCONIST ☐ SPECIAL EVENT
☐ VENDING MACHINE ☐ VENDING MACHINE (OPERATOR)

(Please complete additional form)

Type of Ownership: (circle one): Individual • Partnership • Corporation • Limited Liability Corporation (LLC)

Applicant Name (name of individual, partnership, LLC, etc.):

Trade Name:

Official Mailing Address (street/city/state/zip):

Contact Person: ___________________________ Business Phone: (____)_________ Cell Phone: (____)_________

Email address: ___________________________ Business Website: ___________________________

If the applicant is not an individual, list the name, title, and percentage of ownership for each partner, stockholder, officer or member.

Name: ___________________________ Title: ___________________________ % of ownership: ___________________________

Name: ___________________________ Title: ___________________________ % of ownership: ___________________________

Name: ___________________________ Title: ___________________________ % of ownership: ___________________________

Physical Address: ___________________________ Parish: ___________________________

Alcoholic Beverage Permit # for This Location (If applicable): ___________________________ LA State Tax ID # ___________________________

Business Model (check all that apply):

☐ Grocery Store ☐ Gas Station Only ☐ Liquor Store ☐ Boat ☐ Train ☐ Hotel/Motel ☐ Vending Machine
☐ Pharmacy ☐ Tobacco Store ☐ Bar/Lounge ☐ Restaurant ☐ Convenience Store ☐ General Merchandise Store
☐ Other (please explain): ___________________________

Applicant Intends to Sell (check all that apply):

☐ Cigarettes ☐ Pipe Tobacco ☐ Roll Your Own Tobacco ☐ Cigars ☐ Smokeless Tobacco ☐ Electronic Cigs/Vapor

Have you or any owner, member, officer or director of the partnership, corporation, or LLC that you represent been convicted of a felony? ☐ YES ☐ NO

• If YES, please explain: ___________________________

Have you or any owner, member, officer or director of the partnership, corporation, or LLC that you represent ever been convicted of the unlawful distribution of tobacco products to minors? ☐ YES ☐ NO

• If YES, please explain: ___________________________

Have you or any owner, member, officer or director of the partnership, corporation, or LLC that you represent ever been convicted of failing to post the notice that it is unlawful to sell tobacco products to underage individuals as required under the terms and provisions of the “Prevention of Youth Access to Tobacco Law”? ☐ YES ☐ NO

• If YES, please explain: ___________________________

Have you or any owner, member, officer or director of the partnership, corporation, or LLC that you represent ever been convicted of the unfair sales law as it applies to tobacco products as provided in L.A.R.S. 51:421? ☐ YES ☐ NO

• If YES, please explain: ___________________________

I verify, that as of the date of this application, I have the right to occupy the property as stated on the application.

☐ YES ☐ NO

• If NO, list date applicant will take possession of the property ___________________________
SWORN STATEMENT/CERTIFICATION OF AUTHENTICITY

I CERTIFY that I am an owner, or duly authorized agent, partner or officer of applicant. I further certify, under the penalties of perjury, that I hereby apply for the tobacco retail permit indicated on this application, that I have fully examined and understand this application and all accompanying documents, and to the best of my knowledge and belief, it is true, correct and complete.

Signature: __________________________ Title: __________________________

Print your Name: __________________________

Sworn to and Subscribed to me this __________day of ______________________, 20__________

In the Parish of __________________________, State of __________________________

Notary Public’s Signature: __________________________ License Number: __________________________

Print Name of Notary Public: __________________________
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Tobacco Schedule A - Affidavit of Individual Suitability (Page 1 of 3)

A Schedule A must be executed by each manager, each owner, partner, financial backer, officer, agent, director, stockholder, or member owning more than 5% of the stock or membership interest in the business.

Owner Name of Business (individual/partnership/LLC/corporation):

Trade Name of Business (dba name):

Business Phone Number: (____) - Business Email Address:

Business Fax Number: (____) -

NAME (print): Last Name First Name Middle Initial [for manager, officer, member, etc]

Maiden Name/Aliases/Nickname/Former Legal Names (if any):

Occupation: Employer:

Date of Birth: ___/___/______ Present Age: Place of Birth:

Home/Office Phone Number: (____) - Cell Phone Number: (____) -

Email Address:

Mailing Address: Street

City/State/Zip

Social Security Number: - - - Race: Gender:

Driver’s License Number: State of Issuance:

Affiliation with business: (job title/position) Percentage of ownership:

Louisiana Office of Alcohol and Tobacco Control - PO Box 66404, Baton Rouge, LA 70806 - 225-925-4041
**If you answer “YES” to any of the following questions about your criminal history, you must complete a Schedule F.**

1. Have you ever been convicted of a felony? YES □ NO □  
   • This includes an offense adjudicated under Article 893 or 894, dismissals, pardons, expungements, guilty pleas, and pleas of nolo contendere “no contest.”

2. Have you ever been convicted of or found to have violated the unlawful distribution of tobacco products, alternative nicotine products, or vapor products to persons under the age of 18 under R.S. 14:91:6? YES □ NO □

3. Have you ever been convicted of or found to have violated the provisions of the “Prevention of Youth Access to Tobacco Law” by failing to post the notice that it is unlawful to sell tobacco products, alternative nicotine products, or vapor products to underage individuals under R.S. 14:91.8? YES □ NO □

4. Have you ever been convicted of or found to have violated the unfair sales law as it applies to tobacco products as provided in R.S. 51:421 et seq? YES □ NO □

5. Have you ever been convicted of or found to have violated any tobacco, alternative nicotine product or vapor product regulatory statute, or rule, including a tobacco tax statute or rule? YES □ NO □
Affidavit

I swear that I have read each of the above questions and the answers that I have given are true and correct to the best of my knowledge; and that I meet the qualifications and conditions set out in R.S. 26:901 et seq.

__________________________
Signature of Applicant

__________________________
Title

__________________________
Print/Type Applicant’s Name

For NOTARY Use Only

Sworn to and subscribed to me this __ day of ____________, 20_____,

In the parish/county of _______________________, State of _____________________.

__________________________
Notary Public’s Signature

__________________________
Print Name of Notary Public
This form must be completed by any applicant who has been convicted of a felony and seeks lawful issuance of an alcoholic beverage permit under the provisions of R.S. 26:80(f) and/or 26:280(f). Applicant attests that the felony was not a crime of violence as defined in LA R.S. 14:2(13), and that 10 years or more have passed between the date of this application and the successful completion of any sentence, deferred adjudication, or period of probation, parole, and the final discharge of the defendant. Applicant is required to submit official documentation of pardon, restoration of rights, or official certification that 10 years or more has passed since successful completion of any sentence, deferred adjudication, or period of probation or parole and the final discharge of the defendant at the time of application.

**CRIMES OF VIOLENCE**

**A CRIME OF VIOLENCE IS DEFINED IN LA R.S. 14:2(13) AS ANY OF THE BELOW-LISTED CRIMES.**

**IF YOU HAVE BEEN CONVICTED OF ANY OF THE BELOW-LISTED CRIMES, YOU WILL NOT QUALIFY FOR AN ALCOHOLIC BEVERAGE PERMIT.**

1. Solicitation for Murder
2. First Degree Murder
3. Second Degree Murder
4. Manslaughter
5. Aggravated Battery
6. Second Degree Battery
7. Aggravated Assault
8. Mingling Harmful Substances
9. Aggravated or First Degree Rape
10. Forcible or Second Degree Rape
11. Simple or Third Degree Rape
12. Sexual Battery
13. Second Degree Sexual Battery
14. Intentional Exposure to AIDS Virus
15. Aggravated Kidnapping
16. Second Degree Kidnapping
17. Simple Kidnapping
18. Aggravated Arson
19. Aggravated Criminal Damage to Property
20. Aggravated Burglary
21. Armed Robbery
22. First Degree Robbery
23. Simple Robbery
24. Purse Snatching
25. Extortion
26. Assault by Drive-by Shooting
27. Aggravated Crime Against Nature
28. Carjacking
29. Illegal Use of Weapons or Dangerous Instrumentalities
30. Terrorism
31. Aggravated Second Degree Battery
32. Aggravated Assault Upon a Peace Officer with a Firearm
33. Aggravated Assault with a Firearm
34. Armed Robbery; Use of Firearm; Additional Penalty
35. Second Degree Robbery
36. Disarming of a Peace Officer
37. Stalking
38. Second Degree Cruelty to Juveniles
39. Aggravated Flight from an Officer
40. Battery of a Police Officer
41. Trafficking of Children for Sexual Purposes
42. Human Trafficking
43. Home Invasion
44. Domestic Abuse Aggravated Assault
45. Vehicular Homicide, When Operator’s BAC Exceeds .20
Date of Application: ______/____/_______  Trade Name (d/b/a name): ________________________________

Type of Ownership (circle one): Individual  *  Partnership  *  Corporation  *  Limited Liability Corporation (LLC)

Owner Name (name of individual, partnership, etc.): ________________________________________________

NAME (print): ___________________________  Aliases (if any): ___________________________

Last Name  First Name  Middle Initial

Date of Birth: ______/____/_______  Present Age: ______  Sex: ______  Race: ___________________________

Identification Number (driver’s license number, state ID card, etc.): ________________________________

Social Security Number: ______-______-_______

Home Phone: (____)____-________  Cell Phone: (____)____-________

Affiliation with business (job title/position): _____________________________________________________

YOU MUST ATTACH A COURT RECORD OF THE DISPOSITION OF EACH CHARGE/CONVICTION

Charge and statute number: ________________________________

Date of Conviction: ____________  Date of Final Discharge: ____________

Jurisdiction (Name of Court/Agency): ________________________________

Charge and statute number: ________________________________

Date of Conviction: ____________  Date of Final Discharge: ____________

Jurisdiction (Name of Court/Agency): ________________________________

AFFIDAVIT

I affirm that the above information is true and correct to the best of my knowledge, and that a copy of official documentation regarding the disposition of each charge/violation is attached.

____________________________________  ____________________________________________  ________________
Signature  Print/Type Name  Title

For NOTARY Use Only

Sworn to and subscribed to me this ______ day of ____________, 20_____

In the parish/county of __________________________  State of __________________________

____________________________________  ____________________________________________
Notary Public’s Signature  Print Name of Notary Public
A Note from the Louisiana Office of Alcohol & Tobacco Control

As the agency tasked with regulating alcoholic beverage and tobacco commodities, one of our main goals here at ATC is to promote awareness and understanding throughout the industry of the Alcoholic Beverage and Tobacco Laws and Regulations. As such, we feel that it may be helpful to provide you with a few commonly un-known or misunderstood provisions of law. Please read the following:

- Licensed Louisiana retail dealers of alcohol and tobacco products can only purchase their inventory from licensed Louisiana wholesale dealers.
- 6% price mark-up provisions apply to alcohol and tobacco products.
- Permits are issued per location address and only one alcoholic beverage permit can be issued to an address (i.e. you cannot have two classes of permits at one address).
- **Public habitable area** means publicly accessible space, within a structure, which is permanent in nature, is in compliance with applicable building codes, is fully enclosed and climate controlled.
- Employees selling or serving alcoholic beverage and tobacco products must obtain a Responsible Vendor Certification within 45 days of employment.
- Retail dealers are required to maintain alcoholic beverage and tobacco invoices as well as employee records on the licensed premise at all times.
- Managers must be registered and certified by ATC. It is important to supply a Schedule A on all appointed managers.
- ATC is authorized to accept documentation and provide information to anyone registered with a business. As such, it is imperative, for the safety your business information, to maintain current ownership and management records with ATC.
- Smoking is not allowed on any areas of a Class B, C (package stores), or AR premise (restaurant).
- Placing signs provided by wholesalers/suppliers outside your business is prohibited (this also includes utility items such as table umbrellas).
- The sale of single cigarettes is prohibited.

A complete copy of the Alcoholic Beverage and Tobacco laws and regulations can be downloaded from the ATC website at [www.atc.la.gov](http://www.atc.la.gov). We are always happy to assist you with any questions or concerns at (225)925-4041. Additionally, we encourage you to help us promote responsible business practices by reporting violations of the alcoholic beverage and tobacco laws to our complaint line at (225)925-4070.