

RÉSUMÉ DIGEST

ACT 62 (HB 232)

2015 Regular Session

Arnold

Existing law provides for the definition of "manufacturer" of high alcoholic content beverages to include any person other than a producer of wine who engages in the making, blending, rectifying, or processing of any alcoholic beverage in or outside La. for sale only in La. or who engages in the supplying of alcoholic beverages to licensed wholesale dealers in La.

Existing law provides for the definition of "manufacturer or brewer" for low alcoholic content beverages to include a person who manufactures alcoholic beverages in or outside of La. for shipments to licensed wholesale dealers in the state.

New law retains existing law and adds to the definitions an authorization for a manufacturer who manufactures any alcoholic beverage in a facility that is located entirely in the state to sell or serve only at that facility to the public for consumption on or off the premises but not for resale.

New law requires that the sale to the public not exceed one case per person for each 30-day period for high alcoholic content and not exceed 10% of the total amount of product brewed monthly or 250 barrels or whichever is greater for low alcoholic content beverages.

New law requires the manufacturer or brewer to remit all state and parish or municipal sales and excise taxes to the proper authority for all products sold to the public and further requires compliance with local zoning laws and regulations.

Prior law authorized the commissioner to issue a Class A-General retail permit or a Class B Retail liquor permit or both to any person who holds a valid manufacturer's permit for a portion of the manufacturer's business premises where the alcoholic beverage is manufactured, and further requires the manufacturer to comply with certain qualification provisions.

New law deletes prior law.

Prior law authorized the commissioner to issue a Class A retail permit to any person who brews beer and other malt beverages and the brewing facility is located entirely in the state and the product may be sold for consumption on or off the premises not exceed 10% of total production for that month and further provides for exemptions relative to the permit.

New law deletes prior law.

Existing law provides for the definition of "microbrewery" to mean an establishment where beer and malt beverages are brewed in small quantities and sold on or off the licensed premises at retail.

New law adds clarification that the microbrewery is a retail establishment where the beverages are sold at retail for consumption on the licensed premises.

Effective August 1, 2015.

(Amends RS. 26:2(12) and 241(10), (11), and (12); Repeals R.S. 26:85.1 and 273(C))