2019 Regular Session

HOUSE BILL NO. 246

BY REPRESENTATIVE SIMON

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana. ALCOHOLIC BEVERAGES: Provides relative to brewing facilities

1	AN ACT
2	To amend and reenact R.S. 26:241(10), relative to alcohol beverage control; to provide
3	relative to brewing facilities; to authorize manufacturers or brewers to host private
4	events at brewing facilities; to authorize the sale or service of alcohol pursuant to a
5	caterer's permit; to authorize manufacturers or brewers to charge certain fees for
6	private events at brewing facilities; and to provide for related matters.
7	Be it enacted by the Legislature of Louisiana:
8	Section 1. R.S. 26:241(10) is hereby amended and reenacted to read as follows:
9	§241. Definitions
10	The following terms have the respective meanings ascribed to them except
11	in those instances where the context indicates a different meaning:
12	* * *
13	(10) "Manufacturer or brewer" means any person who, directly or indirectly,
14	personally or through any agency, person, or establishment, engages in the making,
15	blending, rectifying, brewing, or other processing of alcoholic beverages in
16	Louisiana or outside the state for shipments to licensed wholesale dealers within the
17	state subject to the provisions of R.S. 26:364. A manufacturer or brewer who
18	operates a brewing facility entirely located in the state of Louisiana may sell or serve
19	only those products brewed at that facility to the public only at that facility for
20	consumption on or off the premises but not for resale. The total amount of such sales
21	to the public for any given month shall not exceed ten percent of the total amount of

CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

1	product brewed at that facility monthly or two hundred fifty barrels, whichever is
2	greater. A manufacturer or brewer who operates a brewing facility entirely located
3	in the state of Louisiana may host private events at the brewery where the holder of
4	a Class-A-Caterer permit issued pursuant to this Title shall be allowed to sell or
5	serve any alcoholic beverages authorized by the caterer's permit. The manufacturer
6	or brewer may charge the event holder a reasonable rental fee for any private event
7	held at the brewing facility. Any manufacturer or brewer who sells its products to
8	the public pursuant to this Paragraph shall remit all state and parish or municipal
9	sales and excise taxes to the proper tax collecting authority for all products sold to
10	the public. A manufacturer or brewer who sells or serves its products to the public
11	pursuant to this Paragraph, shall comply with all local zoning laws and regulations.
12	* * *

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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Abstract: Authorizes manufacturers or brewers to host private events at the brewing facility and charge reasonable rental fees associated with hosting those private events.

<u>Present law</u>, in part, defines "manufacturer or brewer" as any person who personally or otherwise engages in the making, blending, rectifying, brewing, or other processing of alcoholic beverages for shipments to licensed wholesale dealers within the state.

<u>Present law</u> provides that a manufacturer or brewer may sell or serve only those products brewed at a La. facility to the public only at that facility for consumption on or off the premises but not for resale.

<u>Present law</u> further provides that the total amount sales to the public for any given month shall not exceed 10% of the total amount of the product brewed monthly or 250 barrels, whichever is greater.

<u>Proposed law</u> retains <u>present law</u> and adds that private events can be held at a brewing facility where the holder of a Class-A-Caterer permit (issued by the commissioner of alcohol and tobacco control) shall be allowed to sell or serve any alcoholic beverages authorized by the caterer's permit.

<u>Proposed law</u> further adds that the manufacturer or brewer may charge reasonable rental fees in order for a private event to be held at the brewing facility.

(Amends R.S. 26:241(10))