2020 Regular Session

HOUSE BILL NO. 336

BY REPRESENTATIVE LANDRY

## ALCOHOLIC BEVERAGES: Provides relative to manufacturers or brewers of alcohol

1	AN ACT	
2	To amend and reenact R.S. 26:241(15), relative to alcohol manufacturers or brewers; to	
3	provide relative to brewing facilities; to provide for multiple brewing facilities; to	
4	provide relative to the allowance of the transfer of bonded beer between brewing	
5	facilities; and to provide for related matters.	
6	Be it enacted by the Legislature of Louisiana:	
7	Section 1. R.S. 26:241(15) is hereby amended and reenacted to read as follows:	
8	§241. Definitions	
9	The following terms have the respective meanings ascribed to them except	
10	in those instances where the context indicates a different meaning:	
11	* * *	
12	(15) "Manufacturer or brewer" means any person who, directly or indirectly,	
13	personally or through any agency, person, or establishment, engages in the making,	
14	blending, rectifying, brewing, or other processing of alcoholic beverages in	
15	Louisiana or outside the state for shipments to licensed wholesale dealers within the	
16	state subject to the provisions of R.S. 26:364. A Notwithstanding any other	
17	provision of this Title to the contrary, a manufacturer or brewer who operates a one	
18	or more permitted brewing facility facilities entirely located in the state of Louisiana	
19	may sell or serve only those products brewed at that facility those permitted facilities	
20	to the public only at that facility those facilities for consumption on or off the	

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

1	premises but not for resale. The total amount of such sales to the public for any
2	given month shall not exceed ten percent of the total amount of product brewed at
3	that per permitted facility monthly or two hundred fifty barrels per permitted facility,
4	whichever is greater. Notwithstanding any other provision of this Title to the
5	contrary, an entity who operates more than one permitted brewing facility entirely
6	located in the state of Louisiana may transfer bonded beer between the entity's
7	permitted facilities. The commissioner may promulgate regulations in accordance
8	with the Administrative Procedure Act relative to reporting requirements for product
9	transfers. Any manufacturer or brewer who sells its products to the public pursuant
10	to this Paragraph shall remit all state and parish or municipal sales and excise taxes
11	to the proper tax collecting authority for all products sold to the public. A
12	manufacturer or brewer who sells or serves its products to the public pursuant to this
13	Paragraph, shall comply with all local zoning laws and regulations.
14	* * *

## 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)]

LID 226 Original	2020 Decular Session
HB 336 Original	2020 Regular Session

Landry

Abstract: Allows an entity operating multiple brewing facilities to transfer bonded beer and authorizes the commissioner to promulgate regulations regarding the reporting of those transfers.

<u>Present law</u> provides that a manufacturer or brewer who operates a brewing facility entirely located in the state of Louisiana may sell or serve only those products brewed at that facility to the public only at that facility for consumption on or off the premises but not for resale.

<u>Proposed law</u> expands <u>present law</u> to apply to a manufacturer or brewer who operates one or more permitted brewing facilities.

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

<u>Present law</u> provides that any manufacturer or brewer who sells its products to the public pursuant to this Paragraph shall remit all state and parish or municipal sales and excise taxes to the proper tax collecting authority for all products sold to the public.

<u>Present law</u> provides that a manufacturer or brewer who sells or serves its products to the public pursuant to this Paragraph shall comply with all local zoning laws and regulations.

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<u>Proposed law</u> retains <u>present law</u> and allows an entity operating multiple permitted brewing facilities located in this state to transfer bonded beer between the entity's permitted facilities.

<u>Proposed law</u> authorizes the commissioner to promulgate regulations in accordance with the APA regarding the reporting requirements for bonded beer transfers.

(Amends R.S. 26:241(15))