

2024 Regular Session

HOUSE BILL NO. 160

BY REPRESENTATIVE BAGLEY

ALCOHOLIC BEVERAGES: Authorizes manufacturers and wine producers to sell and ship sparkling or still wine directly to retail dealers

1 AN ACT

2 To amend and reenact R.S. 26:359(B)(1)(introductory paragraph) and (E) and to enact R.S.
3 26:359(H), relative to manufacturers and wine producers under the Alcoholic
4 Beverage Control Law; to provide relative to the distribution of alcoholic beverages;
5 to authorize direct selling and shipping of sparkling wine or still wine by a
6 manufacturer or wine producer domiciled inside Louisiana to retailers; to provide for
7 an exception for distribution of alcoholic beverages through wholesalers only; and
8 to provide for related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 26:359(B)(1)(introductory paragraph) and (E) are hereby amended
11 and reenacted and R.S. 26:359(H) is hereby enacted to read as follows:

12 §359. Distribution of alcoholic beverages through wholesalers only

13 * * *

14 B.(1) Notwithstanding the provisions of Subsection A of this Section,
15 sparkling wine or still wine may be sold and shipped directly to a consumer, ~~not to~~
16 ~~a retail dealer's location that is permitted by the Office of Alcohol and Tobacco~~
17 ~~Control~~, in Louisiana by the manufacturer or retailer of such beverage domiciled
18 inside or outside of Louisiana, or by a wine producer domiciled inside or outside of
19 Louisiana, provided both that all taxes levied have been paid in full and that all of
20 the following apply:

21 * * *

1 E. The provisions of R.S. 26:71.4, R.S. 26:85, 142, 143, 308(C)(1), 348
2 through 350, 360, 364, and 365 shall not apply to wine producers, manufacturers,
3 and retailers only in connection with direct sales and shipments when authorized to
4 engage in the direct sale and shipment of sparkling wine or still wine under the
5 provisions of this Section.

6 * * *

7 H. Notwithstanding the provisions of Subsection A of this Section, a
8 manufacturer or wine producer domiciled inside of Louisiana may sell and ship
9 sparkling wine or still wine to any licensed alcoholic beverage retail dealer. A
10 manufacturer or wine producer shall not be required to distribute sparkling wine or
11 still wine through a wholesaler.

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)]

HB 160 Original

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Bagley

Abstract: Permits manufacturers and wine producers domiciled inside La. to sell and ship sparkling or still wine directly to retailers.

Present law permits manufacturers or wine producers domiciled inside or outside of La. to sell and ship directly to consumers in La. when certain conditions are satisfied.

Proposed law retains present law and permits manufacturers or wine producers domiciled inside La. only to sell and ship directly to retailers.

Proposed law provides an exception for distribution of alcoholic beverages through wholesalers only and permits manufacturers or wine producers domiciled inside La. to self-distribute sparkling wine or still wine.

(Amends R.S. 26:359(B)(1)(intro. para.) and (E); Adds R.S. 26:359(H))