
The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Michelle Ducharme.

DIGEST

Present law provides that no alcoholic beverages produced or manufactured inside or outside of this state shall be sold or offered for sale in Louisiana, or shipped or transported into or within the state, except to the holder of a wholesaler's permit.

Present law excepts sparkling wine and still wine from the prohibition in present law to allow such wine to be shipped directly to a consumer in Louisiana by the manufacturer or retailer of such beverage domiciled outside of Louisiana, or by a wine producer domiciled inside or outside of Louisiana, provided both that all taxes levied have been paid in full and that all of the following apply:

1. The consumer is twenty-one years of age or older.
2. The sparkling wine or still wine is for that consumer's personal consumption.
3. The total amount of sparkling wine or still wine shipped does not exceed forty-eight seven hundred fifty milliliter bottles per calendar year per adult person per household address.
4. The wine producer, manufacturer, or retailer engaging in such direct sales holds a valid wine producer's, manufacturer's, or retailer's license issued by the state of its domicile.
5. The package in which the sparkling wine or still wine is shipped is prominently labeled as containing beverage alcohol.
6. The package in which such sparkling wine or still wine is shipped is received by a person twenty-one years of age or older.
7. The package contains an invoice indicating the date of the shipment, providing a full and complete description of all items included in the shipment, and stating the price thereof.
8. The wine producer, manufacturer, or retailer has complied with certain provisions of law.
9. The seller or shipper who is a wine producer or manufacturer is not a party, directly or indirectly, to any agreement in which a wholesaler licensed by the state of Louisiana has been granted the right to purchase and to sell any sparkling wine or still wine produced by the manufacturer. This does not include any sale of sparkling wine or still wine perfected on the premises of the wine producer or manufacturer and completed by shipment to a consumer in Louisiana otherwise made in accordance with certain provisions of law.

Proposed law maintains present law and allows manufacturers or retailers of sparkling wine or still wine who are domiciled in Louisiana to sell and ship directly to consumers in Louisiana.

Effective August 15, 2011.

(Amends R.S. 26:359(A), (B)(1) (intro para), and (B)(1)(h))