

1 making, blending, rectifying, or processing any alcoholic beverage outside Louisiana
 2 for sale in Louisiana; or engages in the business of supplying alcoholic beverages to
 3 licensed wholesale dealers in Louisiana. A manufacturer who engages in the
 4 making, blending, rectifying, or processing of any alcoholic beverage in a facility
 5 entirely located in the state of Louisiana may sell or serve only those products that
 6 are made, blended, rectified, or processed at that facility to the public only at that
 7 facility for consumption on or off the premises but not for resale. The total amount
 8 of such sales to the public for any given month shall not exceed one case per person
 9 for each thirty-day period. Any manufacturer who sells its products to the public
 10 pursuant to this Paragraph shall remit all state and parish or municipal sales and
 11 excise taxes to the proper tax collecting authority for all products sold to the public.
 12 A manufacturer who sells or serves its products to the public pursuant to this
 13 Paragraph, shall comply with all local zoning laws and regulations.

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15 §241. Definitions

16 The following terms have the respective meanings ascribed to them except
 17 in those instances where the context indicates a different meaning:

18 * * *

19 (10) "Manufacturer or brewer" means any person who, directly or indirectly,
 20 personally or through any agency, person, or establishment, engages in the making,
 21 blending, rectifying, brewing, or other processing of alcoholic beverages in
 22 Louisiana or outside the state for shipments to licensed wholesale dealers within the
 23 state subject to the provisions of R.S. 26:364. A manufacturer or brewer who
 24 operates a brewing facility entirely located in the state of Louisiana may sell or serve
 25 only those products brewed at that facility to the public only at that facility for
 26 consumption on or off the premises but not for resale. The total amount of such sales
 27 to the public for any given month shall not exceed ten percent of the total amount of
 28 product brewed at that facility monthly or two hundred fifty barrels, whichever is
 29 greater. Any manufacturer or brewer who sells its products to the public pursuant

Proposed 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.

Present law authorizes 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.

Proposed law repeals present law.

Present law authorizes 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.

Proposed law repeals present law.

Present law provides for the definition of "microbrewer" to mean a person who makes, blends, rectifies, or processes beer or other malt beverages for sale.

Proposed law retains present law and clarifies that the beverages are for retail sale.

Present 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.

Proposed law retains present law and clarifies that the microbrewery is a retail establishment where the beverages are sold at retail for consumption on the licensed premises.

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

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Judiciary to the original bill:

1. Amend the definitions of "microbrewer" and "microbrewery" to clarify that the beverages are for retail sale at a retail establishment where the beverages are sold at retail for consumption on or off the licensed premises.