

2025 Regular Session

HOUSE BILL NO. 563

BY REPRESENTATIVE LACOMBE

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

ALCOHOLIC BEVERAGES: Provides relative to manufacturing brewers

1 AN ACT

2 To amend and reenact R.S. 26:241(18), relative to manufacturers or brewers; to provide for
3 the definition of manufacturers or brewers; to provide for the sale and service of the
4 products of manufacturers or brewers; to provide for regulations; and to provide for
5 related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 26:241(18) 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 (18) "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 manufacturer or brewer who
17 operates a brewing facility entirely located in the state of Louisiana may sell or
18 serve:

19 (a) ~~only~~ Only those products brewed at that facility to the public only at that
20 facility for consumption on or off the premises but not for resale. The total amount
21 of such sales to the public for any given month shall not exceed ten percent of the

1 total amount of product brewed at that facility monthly or two hundred fifty barrels,
 2 whichever is greater. Any manufacturer or brewer who sells its products to the
 3 public pursuant to this ~~Paragraph~~ Subparagraph shall remit all state and parish or
 4 municipal sales and excise taxes to the proper tax collecting authority for all products
 5 sold to the public. A manufacturer or brewer who sells or serves its products to the
 6 public pursuant to this ~~Paragraph~~ Subparagraph, shall comply with all local zoning
 7 laws and regulations.

8 (b) Notwithstanding the restrictions in Subparagraph (a) of this Paragraph,
 9 provided that a manufacturer or brewer complies with the provisions of R.S. 26:286,
 10 manufacturers or brewers who own and operate a brewing facility entirely located
 11 in the state of Louisiana may sell or serve their finished products at retail directly to
 12 consumers at a farmer's market and similar venues defined by the commissioner
 13 pursuant to rules and regulations promulgated in accordance with the Administrative
 14 Procedure Act. The manufacturer or brewer shall give notice of its intent to sell its
 15 product to the commissioner at least five days in advance of the initial date of the
 16 farmer's market and any product sold at the market shall be offered at a price
 17 consistent with the current price in that geographical area.

18 * * *

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 563 Engrossed

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LaCombe

Abstract: Authorizes manufacturers and brewers to sell their alcohol products at a farmer's market.

Present law provides that manufacturers and brewers may sell and serve the products that are brewed at their facility on the grounds of the facility provided they pay all state and parish sales and excise taxes and comply with all local zoning laws and regulations.

Proposed law retains present law and provides that manufacturers and brewers may sell and serve their products at a local farmer's market provided they give the commissioner of alcohol and tobacco five days advance notice before the market begins and sell the product at a price consistent with the current price in the geographical area of the market.

(Amends R.S. 26:241(18))

Summary of Amendments Adopted by House

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

1. Clarify that only the products brewed at the facility may be sold at the facility.
2. Provide that in addition to selling the products at the facility, products may be served and sold at a local farmer's market.