

## RÉSUMÉ DIGEST

**ACT 181 (SB 34)**

**2019 Regular Session**

**Donahue**

Prior law (Alcohol Beverage Control Law) regulated the sale of alcoholic beverages in Louisiana through a licensing three-tier system. Required licensed producers/manufacturers to sell to licensed wholesalers/distributors and licensed wholesalers/distributors to sell to licensed retailers (including restaurants). Provided that only licensed retailers may sell alcoholic beverages directly to consumers.

Prior law provided limited exceptions wherein a licensed wine producer/manufacturer may also engage in business as a wholesaler/distributor or as a retailer. Exceptions included a wine producer who operates one or more wineries selling and shipping directly to a consumer in Louisiana provided that the total amount of sparkling wine or still wine shipped to any single household address is in 750 ml bottles and does not exceed 144 bottles per adult person per household address per calendar year.

New law retains prior law but removes the size limitation on the bottles/containers in which the wine may be shipped. Provides instead that the total amount of sparkling or still wine shipped shall not exceed 12 cases of wine per adult person per household address per calendar year.

New law defines a case of wine.

New law provides guidelines for how a case of wine shall be packaged.

Prior law provided that no alcoholic beverages produced or manufactured inside or outside of Louisiana 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. Further provided that the delivery of alcoholic beverages produced or manufactured inside or outside of Louisiana shall be made at the place of business of the wholesaler shown on their permit, and must be received and warehoused by the wholesaler at that place of business and shall come to rest before delivery is made to any retailer.

Prior law provided for an exception to prior law for sparkling wine or still wine sold and shipped directly to a consumer, not to a retail dealer's location, in Louisiana by the manufacturer or retailer of such beverage domiciled inside or outside of Louisiana or by a wine producer domiciled inside or outside of Louisiana provided all taxes levied have been paid and certain conditions apply including that the sparkling wine or still wine to be shipped is shipped in 750 ml bottles and that the total amount does not exceed 144 bottles per adult person per household address per calendar year.

New law retains prior law but removes the size limitation on the bottles in which the wine may be shipped. Provides instead that the total amount of sparkling or still wine shipped shall not exceed 108 liters of wine per adult per household address per calendar year.

Effective July 1, 2019.

(Amends R.S. 26:85(6) and 359(B)(1)(c); adds R.S. 26.2(3.1), and 241(2.1))