SLS 22RS-1354 REENGROSSED

2022 Regular Session

SENATE BILL NO. 450

BY SENATOR STINE

ALCOHOLIC BEVERAGES. Provides relative to microbreweries. (8/1/22)

1	AN ACT
2	To amend and reenact R.S. 26:271.1(A), relative to microbreweries; to provide for retail
3	sales on or off premises; to provide for transfers; to provide for conditions; and to
4	provide for related matters.
5	Be it enacted by the Legislature of Louisiana:
6	Section 1. R.S. 26:271.1(A) is hereby amended and reenacted to read as follows:
7	§271.1. Microbrewery; retail sales on or off premises
8	A.(1) Any person who has properly obtained a microbrewer's permit as
9	provided for in R.S. 26:271, shall be authorized to engage in the brewing of beer and
10	other malt beverages in a quantity not to exceed twelve thousand five hundred
11	barrels during the licensed year. The holder of such permit shall also be authorized
12	to sell the manufactured beverages at retail for consumption on or off the licensed
13	premises, if the holder also has been issued a Retailer, Class A permit.
14	(2) A licensed wholesaler may transfer from a permitted microbrewery
15	to another permitted microbrewery up to fifty percent of the total
16	manufactured beverages sold at the receiving microbrewery provided all of the
17	following conditions are met:

1	(a) The microbrewery receiving the transferred manufactured beverages
2	shall be wholly owned by the permitted microbrewery that brews the
3	manufactured beverages authorized for transfer.
4	(b) The receiving microbrewery shall have, at a minimum, a ten barrel
5	brewing system.
6	(c) The microbrewery transferring the manufactured beverages shall be
7	responsible for paying all applicable federal, state, and local excise taxes on the
8	transferred manufactured beverages.
9	(d) Only one permitted microbrewery within the same municipality shall
10	be allowed to receive the transfer of manufactured beverages pursuant to this
11	Section.
12	(3) A licensed wholesaler transferring the manufactured beverages
13	pursuant to this Section shall be exempt from the provisions of R.S. 26:359(A).
14	* * *
	The original instrument was prepared by Alan Miller. The following digest, which does not constitute a part of the legislative instrument, was prepared

by Thomas L. Tyler.

DIGEST

SB 450 Reengrossed

2022 Regular Session

Stine

Present law authorizes any person who has properly obtained a microbrewer's permit as provided for in present law, to engage in the brewing of beer and other malt beverages in a quantity not to exceed 12,500 barrels during the licensed year.

Present law authorizes the holder of the microbrewer's permit to sell the manufactured beverages at retail for consumption on or off the licensed premises, if the holder also has been issued a Retailer, Class A permit.

Proposed law retains present law.

Proposed law authorizes a licensed wholesaler to transfer from a permitted microbrewery to another permitted microbrewery up to 50% of the total manufactured beverages sold at the receiving microbrewery provided all of the following conditions are met:

- (1) The microbrewery receiving the transferred manufactured beverages be wholly owned by the permitted microbrewery that brews the manufactured beverages authorized for transfer.
- The receiving microbrewery have, at a minimum, a 10-barrel brewing system. (2)
- (3) The microbrewery transferring the manufactured beverages shall be responsible for paying all applicable federal, state, and local excise taxes on the transferred

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Coding: Words which are struck through are deletions from existing law; words in **boldface type and underscored** are additions.

manufactured beverages.

Only one permitted microbrewery within the same municipality be allowed to receive the transfer of manufactured beverages.

 $\underline{ Proposed \, law} \, exempts \, the \, licensed \, wholesaler \, transferring \, the \, manufactured \, beverages \, from \, present \, law.$

Effective August 1, 2022.

(Amends R.S. 26:271.1(A))

Summary of Amendments Adopted by Senate

Senate Floor Amendments to engrossed bill

1. Adds provision regarding transferring beverages and responsibility to pay all applicable federal, state, and local excise taxes on the transferred beverages.