
DIGEST

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HB 494 Engrossed

2022 Regular Session

Romero

Abstract: Authorizes multi-facility manufacturers and brewers to sell at a facility products brewed at their other facilities.

Present law (R.S. 26:241(15)) provides that a manufacturer or brewer who operates a brewing facility entirely located in the state may sell or serve only those products brewed at that facility to the public only at that facility for consumption on or off the premises, but not for resale.

Proposed law authorizes a manufacturer or brewer who operates one or more brewing facilities located in the state to sell or serve products brewed at those facilities at wholesale to licensed retail dealers and special events, and at retail to the public at those facilities for consumption on or off the premises, but not for resale.

Present law provides the total amount of such sales to the public for any given month shall not exceed 10% of the total amount of product brewed at that facility monthly or 250 barrels, whichever is greater.

Proposed law authorizes the total amount of sales to be calculated from sales to retail dealers, special events, and to the public, not to exceed 10% of the total amount of product brewed at each facility monthly or 250 barrels for each facility, whichever is greater.

Present law provides that any manufacturer or brewer who sells its products to the public shall remit all state and parish or municipal sales and excise taxes to the proper tax collecting authority for all products sold to the public.

Proposed law additionally requires the manufacturer or brewer to remit all sales and excise taxes generated by wholesale sales.

Proposed law provides that an applicant for an in-state manufacturer permit shall not be required to enter into or maintain a distribution agreement with a wholesale dealer as a condition precedent to issuance or renewal of a permit.

Present law (R.S. 26:803(3)) prohibits suppliers from entering into an additional agreement with certain wholesalers for, or to sell to any other wholesaler, the same brand or brands of beer in the same territory or any portion thereof, or to sell directly to any retailer in this state.

Proposed law creates an exception to present law as provided in proposed law (R.S. 26:241(15)).

(Amends R.S. 26:241(15) and 803(3))