

2023 Regular Session

HOUSE BILL NO. 647 (Substitute for House Bill No. 263 by Representative Bourriaque)

BY REPRESENTATIVE BOURRIAQUE

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

ALCOHOLIC BEVERAGES: Provides relative to manufacturing distillers of alcoholic beverages

1 AN ACT

2 To amend and reenact R.S. 26:85(introductory paragraph) and (6) and to enact R.S.
3 26:2(35), (36), and 85(7), relative to alcoholic beverages; to provide relative to the
4 definitions of distilling, manufacturing distiller, and manufacturing distillery; to
5 authorize manufacturing distillers to sell or serve to the public from any facility; to
6 provide for applicability to manufacturing distillers; and to provide for related
7 matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 26:85(introductory paragraph) and (6) are hereby amended and
10 reenacted and R.S. 26:2(35), (36), and 85(7) are hereby enacted to read as follows:

11 §2. Definitions

12 For purposes of this Chapter, the following terms have the respective
13 meanings ascribed to them in this Section, unless a different meaning clearly appears
14 from the context:

15 * * *

16 (35) "Distill, distilling, and distilled" means the process of producing liquor
17 by distillation through one or more stills located at a licensed premises as part of a
18 distiller's process of engaging in the material and essential aspects of manufacturing
19 such distilled spirits for human consumption.

20 * * *

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 647 Engrossed

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Bourriaque

Abstract: Adds definitions for distilling, manufacturing distiller, and manufacturing distillery and authorizes manufacturing distillers to perform certain acts in the same manner as wine producers.

Present law provides relative to the Alcoholic Beverage Control Law.

Present law provides for definitions of alcoholic beverages for low and high alcoholic content.

Proposed law retains present law and adds definitions for "distill, distilling, and distilled" and "manufacturing distillery" or "manufacturing distiller".

Present law authorizes wine producers who are not performing any of the prohibited acts or whose license has not been suspended or revoked as provided in R.S. 26:90, who own and operate one or more wineries to sell or serve their finished products at retail to consumers at fairs, festivals, farmers' markets, and similar venues.

Proposed law retains present law and authorizes manufacturing distillers in compliance with R.S. 26:90 to sell or serve their products in the same manner as wine producers.

(Amends R.S. 26:85(intro. para.) and (6); Adds R.S. 26:2(35), (36), and 85(7))