The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Dawn Romero Watson.

DIGEST

SB 34 Original 2019 Regular Session Donahue

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

Present law provides limited exceptions wherein a licensed wine producer/manufacturer may also engage in business as a wholesaler/distributor or as a retailer. Exceptions include 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 to exceed 144 bottles per adult person per household address per calendar year.

Proposed law retains present 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 108 liters of wine per adult per household address per calendar year.

Present law provides 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 provides 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.

Present law provides for an exception to present 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.

Proposed law retains present 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 August 1, 2019.

(Amends R.S. 26:85(6) and 359(B)(1)(c))