Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 26:241(15) is hereby amended and reenacted to read as follows:

§241. Definitions

The following terms have the respective meanings ascribed to them except in those instances where the context indicates a different meaning:

* * *

(15) "Manufacturer or brewer" means any person who, directly or indirectly, personally or through any agency, person, or establishment, engages in the making, blending, rectifying, brewing, or other processing of alcoholic beverages in Louisiana or outside the state for shipments to licensed wholesale dealers within the state subject to the provisions of R.S. 26:364. Notwithstanding any other provision of this Title to the contrary, a manufacturer or brewer who operates a one or more permitted brewing facility facilities entirely located in the state of Louisiana may sell or serve only those products brewed at that facility those permitted facilities to the public only at that facility those facilities for consumption on or off the
premises but not for resale. The total amount of such sales to the public for any
given month shall not exceed ten percent of the total amount of product brewed at
that permitted facility monthly or two hundred fifty barrels per permitted facility,
whichever is greater. Notwithstanding any other provision of this Title to the
contrary, an entity who operates more than one permitted brewing facility entirely
located in the state of Louisiana may transfer bonded beer between the entity’s
permitted facilities. The commissioner may promulgate regulations in accordance
with the Administrative Procedure Act relative to reporting requirements for product
transfers. Any manufacturer or brewer who sells its products to the public pursuant
to this Paragraph 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. A
manufacturer or brewer who sells or serves its products to the public pursuant to this
Paragraph, shall comply with all local zoning laws and regulations.

*          *          *

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 336 Original 2020 Regular Session Landry

Abstract: Allows an entity operating multiple brewing facilities to transfer bonded beer and
authorizes the commissioner to promulgate regulations regarding the reporting of
those transfers.

Present law provides that a manufacturer or brewer who operates a brewing facility entirely
located in the state of Louisiana 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 expands present law to apply to a manufacturer or brewer who operates one
or more permitted brewing facilities.

Present law further provides that 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.

Present law provides that any manufacturer or brewer who sells its products to the public
pursuant to this Paragraph 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.

Present law provides that a manufacturer or brewer who sells or serves its products to the
public pursuant to this Paragraph shall comply with all local zoning laws and regulations.

CODING: Words in struck through type are deletions from existing law; words underscored
are additions.
Proposed law retains present law and allows an entity operating multiple permitted brewing facilities located in this state to transfer bonded beer between the entity's permitted facilities.

Proposed law authorizes the commissioner to promulgate regulations in accordance with the APA regarding the reporting requirements for bonded beer transfers.

(Amends R.S. 26:241(15))