

2020 Regular Session

HOUSE BILL NO. 564

BY REPRESENTATIVE HUVAL

ALCOHOLIC BEVERAGES: Provides relative to the authority to host private events at breweries

1 AN ACT

2 To amend and reenact R.S. 26:241(15) and to enact R.S. 26:309, relative to alcohol beverage
3 control; to provide relative to brewing facilities; to authorize manufacturers or
4 brewers to host private events at brewing facilities; to provide for certain restrictions
5 with respect to private events at brewing facilities; to authorize manufacturers or
6 brewers to charge certain fees for private events at brewing facilities; and to provide
7 for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 26:241(15) is hereby amended and reenacted and R.S. 26:309 is
10 hereby enacted to read as follows:

11 §241. Definitions

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

14 * * *

15 (15) "Manufacturer or brewer" means any person who, directly or indirectly,
16 personally or through any agency, person, or establishment, engages in the making,
17 blending, rectifying, brewing, or other processing of alcoholic beverages in
18 Louisiana or outside the state for shipments to licensed wholesale dealers within the
19 state subject to the provisions of R.S. 26:364. A manufacturer or brewer who
20 operates a brewing facility entirely located in the state of Louisiana may sell or serve

1 only those products brewed at that facility to the public only at that facility for
 2 consumption on or off the premises but not for resale. The total amount of such sales
 3 to the public for any given month shall not exceed ten percent of the total amount of
 4 product brewed at that facility monthly or two hundred fifty barrels, whichever is
 5 greater. A manufacturer or brewer who operates a brewing facility entirely located
 6 in the state of Louisiana may host private events at the brewery pursuant to the
 7 provisions of R.S. 26:309. Any manufacturer or brewer who sells its products to the
 8 public pursuant to this Paragraph shall remit all state and parish or municipal sales
 9 and excise taxes to the proper tax collecting authority for all products sold to the
 10 public. A manufacturer or brewer who sells or serves its products to the public
 11 pursuant to this Paragraph, shall comply with all local zoning laws and regulations.

12 * * *

13 §309. Private events at brewer facilities

14 A. A brewer may host no more than thirty private events per year if all of the
 15 following conditions are met:

16 (1) A copy of the contract between the brewer and the third party is provided
 17 to the office of alcohol and tobacco control at least ten days prior to the event.

18 (2) The third party or brewer does not charge a cover charge, entry fee, or
 19 sell entry tickets in connection with the event.

20 (3) The brewing facility operated by the manufacturer or brewer is entirely
 21 located in the state of Louisiana.

22 B.(1) The brewer may charge a reasonable rental fee to the third party for the
 23 private event.

24 (2) At the private event hosted at the brewery, the holder of a Class A-
 25 Caterers permit issued pursuant to this Title may sell or serve any alcoholic
 26 beverages authorized by the caterer's permit.

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 564 Original

2020 Regular Session

Huval

Abstract: Authorizes manufacturers or brewers to host up to thirty private events at the brewing facility and provides certain restrictions for such events.

Present law, in part, defines "manufacturer or brewer" as any person who personally or otherwise engages in the making, blending, rectifying, brewing, or other processing of alcoholic beverages for shipments to licensed wholesale dealers within the state.

Present law provides that a manufacturer or brewer may sell or serve only those products brewed at a La. facility to the public only at that facility for consumption on or off the premises but not for resale.

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

Proposed law retains present law and provides that a brewery may host no more than 30 private events per year if the following conditions are met:

- (1) A copy of the contract between the brewer and the third party is provided to the office of alcohol and tobacco control at least 10 days prior to the event.
- (2) The third party or brewer does not charge a cover charge, entry fee, or sell entry tickets in connection with the event.
- (3) The brewing facility operated by the manufacturer or brewer is entirely located in the state.

Proposed law authorizes the brewer to charge a reasonable rental fee to the third party for the private event and provides that, at the private event, the holder of a Class A-Caterers permit issued pursuant to present law may sell or serve any alcoholic beverages authorized by the caterer's permit.

(Amends R.S. 26:241(15); Adds R.S. 26:309)