
DIGEST

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HB 554 Original

2022 Regular Session

Mincey

Abstract: Provides relative to microbrewery operations and limited sales at wholesale.

Present law (R.S. 26:241) defines "microbrewery" as a retail establishment where beer and other malt beverages are brewed in small quantities, not exceeding 12,500 barrels per year, and where such beverages are sold for consumption on or off the licensed premises.

Proposed law changes present law to apply to beverages sold on or off any licensed premises owned by the microbrewer or at wholesale in accordance with proposed law (R.S. 26:271.1).

Present law (R.S. 26:271) provides for permits and fees. Present law provides that microbrewers with a Retailers, Class A permit, are authorized to engage in the brewing of beer and other malt beverages at a single location in an amount not to exceed 12,500 barrels. Present law further authorizes the sale of such brewed beverages from that location.

Proposed law changes present law to provide for the brewing of beer and other malt beverages at a microbrewer's licensed premises and to authorize the sale of such brewed beverage from any licensed premises owned by the microbrewer or at wholesale in accordance with present law (R.S. 26:271.1).

Present law (R.S. 26:271.1) provides that any person who has obtained a microbrewer's permit as provided in present law (R.S. 26:271) shall be authorized to engage in the brewing of beer and other malt beverages in a quantity not to exceed 12,500 barrels during the licensed years. The holder shall also be authorized to sell the manufactured beverages at retail for consumption on or off the licensed premises if the holder has also been issued a Retailer, Class A permit. Present law further provides that the holder of a microbrewer's permit is not permitted to sell the manufactured beverages at wholesale.

Proposed law changes present law to provide that any person who has properly obtained a Class A retail permit and a microbrewer's permit is authorized to sell the manufactured beverages at retail on or off any licensed premises owned by the microbrewer.

Proposed law changes present law to provide that a microbrewer may sell up to 250 barrels of its finished produces per month at wholesale to other retail dealers licensed pursuant to present law (Chapter 2 - Alcohol Beverage Control and Taxation) and to special events licensed pursuant to R.S. 26:793.

Present law (R.S. 26:793) provides for temporary alcoholic beverage permits.

Present law (R.S. 26:271.1) provides that beverages produced by a microbrewer shall be taxed in the same manner and at the same rate as beverages produced by other breweries.

Proposed law provides that microbrewers who sell finished products at wholesale or retail shall remit all state and parish or municipal sales and excise taxes due.

(Amends R.S. 26:241(17), 271(A)(5), and 271.1)