

1 H.174

2 Introduced by Representatives Greshin of Warren, Botzow of Pownal,
3 Conquest of Newbury, Grad of Moretown, Martin of
4 Springfield, Masland of Thetford, Ralston of Middlebury, Ram
5 of Burlington, Scheuermann of Stowe, Shaw of Pittsford,
6 Wilson of Manchester, and Young of Glover

7 Referred to Committee on

8 Date:

9 Subject: Alcoholic beverages; prohibited acts; malt and vinous beverage
10 shipping license

11 Statement of purpose of bill as introduced: This bill proposes to allow
12 breweries to ship malt beverages to in-state and out-of-state consumers.

13 An act relating to the shipment of malt beverages

14 It is hereby enacted by the General Assembly of the State of Vermont:

15 Sec. 1. 7 V.S.A. § 2 is amended to read:

16 § 2. DEFINITIONS

17 The following words as used in this title, unless a contrary meaning is
18 required by the context, shall have the following meaning:

19 * * *

1 (15) “Manufacturer’s or rectifier’s license”: a license granted by the
2 ~~liquor control board~~ Liquor Control Board that permits the holder to
3 manufacture or rectify spirituous liquors for export and sale to the ~~liquor~~
4 ~~control board~~ Board, or malt beverages and vinous beverages for export and
5 sale to bottlers or wholesale dealers, and directly to an out-of-state consumer in
6 accordance with the laws of the state in which the consumer resides. This
7 license permits a manufacturer of vinous beverages to receive from another
8 manufacturer licensed in or outside this ~~state~~ State bulk shipments of vinous
9 beverages to rectify with the licensee’s own product, provided that the vinous
10 beverages produced by a Vermont manufacturer may contain no more than 25
11 percent imported vinous beverage. The ~~liquor control board~~ Board may grant
12 to a licensed manufacturer or rectifier a first class restaurant or cabaret license
13 or first and third class restaurant or cabaret license permitting the licensee to
14 sell alcoholic beverages to the public only at the manufacturer’s premises,
15 which for the purposes of a manufacturer of malt beverages, includes up to two
16 licensed establishments that are located on the contiguous real estate of the
17 holder of the manufacturer’s license, provided the manufacturer owns or has
18 direct control over those establishments. A manufacturer of malt beverages
19 who also holds a first class restaurant or cabaret license may serve to a
20 customer malt beverage by the glass, not to exceed eight glasses at one time
21 and not to exceed four ounces in each glass. The ~~liquor control board~~ Board

1 may grant to a licensed manufacturer or a rectifier of malt beverages a second
2 class license permitting the licensee to sell alcoholic beverages to the public
3 anywhere on the manufacturer's or rectifier's premises. A licensed
4 manufacturer or rectifier of vinous beverages may serve, with or without
5 charge, at an event held on premises of the licensee or the vineyard property,
6 spirits and vinous and malt beverages, provided the licensee gives the
7 ~~department~~ Department written notice of the event, including details required
8 by the ~~department~~ Department, at least five days before the event. Any
9 beverages not manufactured by the licensee and served at the event shall be
10 purchased on invoice from a licensed manufacturer or wholesale dealer or
11 ~~liquor control board~~ Board.

12 * * *

13 Sec. 2. 7 V.S.A. § 66 is amended to read:

14 § 66. MALT AND VINOUS BEVERAGE SHIPPING LICENSE; IN STATE;
15 OUT OF STATE; PROHIBITIONS; PENALTIES

16 (a) A manufacturer or rectifier of malt or vinous beverages licensed in
17 Vermont may be granted an in-state consumer shipping license by filing with
18 the ~~department of liquor control~~ Department of Liquor Control an application
19 in a form required by the ~~department~~ Department accompanied by a copy of
20 the applicant's current Vermont manufacturer's license and the fee as required
21 by subdivision 231(7)(A) of this title. This consumer shipping license may be

1 renewed annually by filing the renewal fee as required by subdivision
2 231(7)(A) of this title accompanied by a copy of the licensee's current
3 Vermont manufacturer's license.

4 (b) A manufacturer or rectifier of malt or vinous beverages licensed in
5 another state that operates a winery or brewery in the United States and holds
6 valid state and federal permits and licenses may be granted an out-of-state
7 consumer shipping license by filing with the ~~department of liquor control~~
8 Department an application in a form required by the ~~department~~ Department
9 accompanied by copies of the applicant's current out-of-state manufacturer's
10 license and the fee as required by subdivision 231(7)(B) of this title. This
11 consumer shipping license may be renewed annually by filing the renewal fee
12 as required by subdivision 231(7)(B) of this title accompanied by the licensee's
13 current out-of-state manufacturer's license. For the purposes of this subsection
14 and subsection (c) of this section, "out-of-state" means any state other than
15 Vermont, any territory or possession of the United States, and does not include
16 a foreign country.

17 * * *

18 (d) Pursuant to a consumer shipping license granted under subsection (a) or
19 (b) of this section, the licensee may ship malt or vinous beverages produced by
20 the licensee:

21 (1) Only to private residents for personal use and not for resale.

1 (A) In-state consumer shipping license, initial and renewal, \$300.00.

2 (B) Out-of-state consumer shipping license, initial and renewal,

3 \$300.00.

4 (C) Retail shipping license, initial and renewal, \$200.00.

5 * * *

6 Sec. 4. EFFECTIVE DATE

7 This act shall take effect on July 1, 2013.