

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on General, Housing and Military Affairs to which was
3 referred House Bill No. 684 entitled “An act relating to vinous beverage
4 distribution” respectfully reports that it has considered the same and
5 recommends that the bill be amended by striking out all after the enacting
6 clause and inserting in lieu thereof the following:

7 * * * S.260 * * *

8 Sec. 1. PURPOSE

9 The purpose of this act is to allow wholesale dealers to offer tastings of malt
10 or vinous beverages to the management and staff of businesses who have
11 applied for first- or second-class licenses but have yet to receive the license
12 from the Department of Liquor Control, provided that the local control
13 commission has approved the liquor license. This will enable the management
14 of new businesses to taste and choose malt or vinous beverages and to print
15 their menus and otherwise make the start-up of their businesses easier.

16 Sec. 2. 7 V.S.A. § 67 is amended to read:

17 § 67. ALCOHOLIC BEVERAGE TASTINGS; PERMIT; PENALTIES

18 * * *

19 (d) Promotional alcoholic beverage tasting:

20 * * *

1 (4) Upon receipt of a first- or second-class application by the
2 Department, a holder of a wholesale dealer’s license may dispense malt or
3 vinous beverages for promotional purposes without charge to invited
4 management and staff of a business that has applied for a first- or second-class
5 license, provided they are of legal drinking age. The event shall be held on the
6 premises of the first- or second-class applicant. The first- or second-class
7 applicant shall be responsible for complying with all applicable laws under this
8 title. No malt or vinous beverages shall be left behind. No permit is required
9 under this subdivision, but the wholesale dealer shall provide written notice of
10 the event to the Department at least five days prior to the date of the tasting.
11 The Department shall post notice of the pending application on its website.

12 * * *

13 * * * S.299 * * *

14 Sec. 3. 7 V.S.A. § 2 is amended to read:

15 § 2. DEFINITIONS

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

18 * * *

19 (37) “Sampler flight” means a flight, ski, paddle, or any similar device
20 by design or name intended to hold alcoholic beverage samples for the purpose
21 of comparison.

1 Sec. 4. 7 V.S.A. § 222 is amended to read:

2 § 222. ~~FIRST AND SECOND CLASS~~ FIRST- AND SECOND-CLASS
3 LICENSES, GRANTING OF; SALE TO MINORS; CONTRACTING
4 FOR FOOD SERVICE

5 With the approval of the Liquor Control Board, the Control Commissioners
6 may grant to a retail dealer for the premises where the dealer carries on
7 business the following:

8 * * *

9 (5)(A) The holder of a first-class license may serve a sampler flight of
10 up to 32 ounces in the aggregate of malt beverages to a single customer at one
11 time;

12 (B) The holder of a first-class license may serve a sampler flight of
13 up to 12 ounces in the aggregate of vinous beverages to a single customer at
14 one time; and

15 (C) The holder of a third-class license may serve a sampler flight of
16 up to four ounces in the aggregate of spirituous liquors to a single customer at
17 one time.

18 * * * H.684 * * *

19 Sec. 5. 7 V.S.A. § 66 is amended to read:

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

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(c) A manufacturer or rectifier of vinous beverages that is licensed in-state or out-of-state and holds valid ~~state~~ State and federal permits and operates a winery in the United States, may apply for a retail shipping license by filing with the Department of Liquor Control an application in a form required by the Department accompanied by a copy of its in-state or out-of-state license and the fee as required by subdivision 231(a)(7)(C) of this title. The retail shipping license may be renewed annually by filing the renewal fee as required by subdivision 231(a)(7)(C) of this title accompanied by the licensee’s current in-state or out-of-state manufacturer’s license. This license permits the holder, which includes the holder’s affiliates, franchises, and subsidiaries, to sell up to 5,000 gallons of vinous beverages a year directly to ~~first~~ first- or ~~second-class~~ second-class licensees and deliver the beverages by common carrier ~~or~~ the manufacturer’s or rectifier’s own ~~vehicles~~ vehicle, or the vehicle of an employee of a manufacturer or rectifier, provided that the beverages are sold on invoice, and no more than 100 gallons per month are sold to any single ~~first~~ first- or ~~second-class~~ second-class licensee. The retail shipping license holder shall report to the Department documentation of the annual and monthly number of gallons sold. Vinous beverages under this section may be delivered by the vehicle of a second-class license holder if the second-class licensee cannot obtain the vinous beverages from a wholesale dealer.

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Sec. 6. EFFECTIVE DATE

This act shall take effect on July 1, 2014.

(Committee vote: _____)

Representative _____

FOR THE COMMITTEE