

**Summary of Amendments to H.238**  
**from as passed House to as passed Senate Economic Development**

Sec. 2. 7 V.S.A. § 2. Definitions

- Subdivision 3 adds a definition of the Board of Liquor and Lottery.
- Subdivision 9 adds a definition of Commissioner of Liquor and Lottery.
- Subdivision 10 defines Department and the Department of Liquor and Lottery.
- Subdivision 14 adds a definition of the Division of Liquor and Lottery which will replace the existing Department of Liquor Control.

Sec. 4. 7 V.S.A. § 4. Nonprofit Organizations; Wine and Beer Auctions; Fundraising

- Amends section to permit nonprofit organizations to auction all alcoholic beverages at fundraising events, rather than just beer and wine.

Sec. 9. 7 V.S.A. § 64. Sale of Malt and Vinous Beverages in Kegs

- Adds permission for keg sales by fourth-class licensees.
- Updates language to reflect sales of kegs of wine.

Sec. 13. 7 V.S.A. chapter 5. Department of Liquor and Lottery

- Amended throughout chapter to reflect transition to new Department of Liquor and Lottery

§ 101. Composition of Department; Commissioner of Liquor and Lottery

- New language added addressing the administrative structure of the Department of Liquor and Lottery.
- Permits Commissioner to appoint Deputy Commissioners to oversee the Division of Liquor Control and Division of Lottery.

§ 107. Duties of Commissioner of Liquor and Lottery

- New language added to reflect creation of Department of Liquor and Lottery.

Sec. 23. 7 V.S.A. § 204. Application and Renewal Fees for Licenses and Permits; Disposition of Fees

- Amended to clarify that fee is for the application or renewal of a license.

Sec. 37. 7 V.S.A. § 224. Fourth-Class Licenses

- Adds language to permit sale of kegs of beer and wine at fourth-class locations.

Sec. 52. 7 V.S.A. § 255. Retail Alcoholic Beverage Tasting Permits

- Amended to permit the employee of a designated manufacturer to serve beverages at a second-class licensee's tasting event.

Sec. 117. 7 V.S.A. § 660. Advertising

- Amended to permit advertising of all alcoholic beverages on motor vehicles making deliveries, not just beer and wine.

Sec. 137. 7 V.S.A. § 1007. Furnishing Tobacco to Persons Under 18 Years of Age

- Amended to permit Division of Liquor Control to hire 16 or 17 year olds to conduct compliance checks.

Sec. 164. Repeals

- Repeals 31 V.S.A. §§ 651, 652, and 653, which established the State Lottery Commission

Sec. 165. 31 V.S.A. § 654. Powers and Duties of Board of Liquor and Lottery

- Amended to reflect replacement of Lottery Commission by Board of Liquor and Lottery and the Lottery Director by the Commissioner of Liquor and Lottery.

Secs. 166–168. 31 V.S.A. § 652–654.

- Amended generally for creation of new Department of Liquor and Lottery

Sec. 169. 31 V.S.A. § 655. Duties of the Commissioner

- Amended to reflect the replacement of the Director of the Lottery by the Commissioner of Liquor and Lottery.

Secs. 170–178. 31 V.S.A. § 656–664.

- Amended generally for creation of new Department of Liquor and Lottery.

Sec. 179. 3 V.S.A. § 212. Departments Created.

- Amended for creation of Department of Liquor and Lottery.

Sec. 180. 32 V.S.A. § 1010. Members of Certain Boards.

- Amended for creation of Department of Liquor and Lottery.

Sec. 181. 2016 Act No. 144, Sec. 20. Commissioner of Liquor and Lottery, Current Term, Appointment of Successor

- Amended to reflect replacement of Commissioner of Liquor Control with Commissioner of Liquor and Lottery.
- Technical amendment proposes removal of this section.

Sec. 182. Board of Liquor and Lottery, Department of Liquor and Lottery; Powers and Duties

- Transitional provision transferring legal authority from
  - Department of Liquor Control and State Lottery to Department of Liquor and Lottery;
  - Liquor Control Board and Lottery Commission to the Board of Liquor and Lottery; and
  - Commissioner of Liquor Control and Lottery Director to Commissioner of Liquor and Lottery.

Sec. 183. Legislative Council; Preparation of Draft Bill

- Requires preparation of a technical corrections bill necessary to effect the creation of the Department of Liquor and Lottery. Due by 1/15/2018.

Sec. 184. Department of Liquor and Lottery; Functions and Duties; Effectiveness; Report

- Directs Commissioner to review effectiveness of Department of Liquor and Lottery in fulfilling its functions and duties and to identify specific measures and legislative changes to improve its effectiveness and efficiency. Report by 11/15/2017.

Sec. 185. 13 V.S.A. 2143. Nonprofit Organizations.

- Increases the number of casino events that a nonprofit organization can hold to one per month and permits a location owned by a nonprofit to host up to 2 per month (including the nonprofit's own event).

Sec. 186. 7 V.S.A. § 5. Department of Liquor Control; Raffles for Right to Purchase Rare and Unusual Products

- Permits Division of Liquor Control to raffle off the right to purchase certain rare and unusual products.
- Proceeds must be given to a nonprofit that provides educational programming related to the prevention of underage alcohol consumption.
- Technical amendment proposes correction of section heading.