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H.178

Introduced by Representatives Walz of Barre City, Harrison of Chittenden,  
and Marcotte of Coventry

Referred to Committee on

Date:

Subject: Alcoholic beverages; general provisions; definitions

Statement of purpose of bill as introduced: This bill proposes to define “low-  
alcohol spirits beverage” and include low-alcohol spirits beverages in the  
regulatory structure of “vinous beverages” under Title 7.

An act relating to low-alcohol spirits beverages

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

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

§ 2. DEFINITIONS

As used in this title:

\* \* \*

(25) “Low-alcohol spirits beverage” means an alcoholic beverage  
containing more than one percent alcohol by volume and not more than  
16 percent alcohol by volume obtained by distillation, by chemical synthesis,  
or through concentration by freezing and mixed with nonalcoholic beverages,  
flavoring, or coloring materials. “Low-alcohol spirits beverages” may also

1 contain water, fruit juices, fruit adjuncts, sugar, carbon dioxide, preservatives,  
2 and other ingredients. A “low-alcohol spirits beverage” shall be a “spirit” if  
3 the low-alcohol spirits beverage:

4 (A) contains more than 16 percent alcohol by volume;

5 (B) is not packaged in metal cans; or

6 (C) is packaged in containers greater than 24 fluid ounces in volume.

7 (26) “Malt beverages” means all fermented beverages of any name or  
8 description manufactured for sale from malt, wholly or in part, or from any  
9 substitute therefor, known as, among other things, beer, ale, or lager,  
10 containing not less than one percent nor more than 16 percent alcohol by  
11 volume at 60 degrees Fahrenheit.

12 ~~(26)~~(27) “Manufacturer’s or rectifier’s license” means a license granted  
13 by the Board of Liquor and Lottery that permits the holder to manufacture or  
14 rectify malt beverages, vinous beverages and fortified wines, or spirits and  
15 fortified wines.

16 ~~(27)~~(28) “Minor” means an individual who has not attained 21 years of  
17 age.

18 ~~(28)~~(29) “Outside consumption permit” means a permit granted by the  
19 Division of Liquor Control allowing the holder of a first-class, first- and third-  
20 class, or fourth-class license to allow for consumption of alcoholic beverages  
21 in a delineated outside area.

1           ~~(29)~~(30) “Packager’s license” means a license granted by the Board of  
2           Liquor and Lottery permitting a person to bottle or otherwise package  
3           alcoholic beverages for sale and to distribute and sell alcoholic beverages at  
4           wholesale in this State.

5           ~~(30)~~(31) “Person,” as applied to licensees, means an individual who is a  
6           citizen, a lawful permanent resident of the United States, or a holder of an E-2  
7           Visa; a partnership composed of individuals, a majority of whom are citizens,  
8           lawful permanent residents of the United States, or holders of an E-2 Visa; a  
9           corporation organized under the laws of this State or another state in which a  
10          majority of the directors are citizens, lawful permanent residents of the United  
11          States, or holders of an E-2 Visa; or a limited liability company organized  
12          under the laws of this State or another state in which a majority of the members  
13          or managers are citizens, lawful permanent residents of the United States, or  
14          holders of an E-2 Visa.

15          ~~(31)~~(32) “Request-to-cater permit” means a permit granted by the  
16          Division of Liquor Control authorizing a licensed caterer or commercial  
17          caterer to cater individual events.

18          ~~(32)~~(33) “Retail dealer” means any person who sells or furnishes malt or  
19          vinous beverages to the public.

20          ~~(33)~~(34) “Retail delivery permit” means a permit granted by the  
21          Division of Liquor Control that permits a second-class licensee to deliver malt

1 beverages and vinous beverages sold from the licensed premises for  
2 consumption off the premises to an individual who is 21 years of age or older  
3 at a physical address in Vermont.

4 ~~(34)~~(35) “Sampler flight” means a flight, ski, paddle, or any similar  
5 device by design or name intended to hold alcoholic beverage samples for the  
6 purpose of comparison.

7 ~~(35)~~(36) “Second-class license” means a license permitting the licensee  
8 to export and to sell malt beverages and vinous beverages to the public for  
9 consumption off the premises for which the license is granted.

10 ~~(36)~~(37) “Special event permit” means a permit granted by the Division  
11 of Liquor Control permitting a licensed manufacturer or rectifier to sell, by the  
12 glass or by the unopened bottle, alcoholic beverages manufactured or rectified  
13 by the license holder at an event open to the public that has been approved by  
14 the local control commissioners.

15 ~~(37)~~(38) “Special venue serving permit” means a permit granted by the  
16 Division of Liquor Control permitting an art gallery, bookstore, public library,  
17 or museum to conduct an event at which malt or vinous beverages, or both, are  
18 served by the glass to the public. As used in this section, “art gallery” means a  
19 fixed establishment whose primary purpose is to exhibit or offer for sale works  
20 of art; “bookstore” means a fixed establishment whose primary purpose is to

1 offer books for sale; “public library” has the same meaning as in 22 V.S.A.  
2 § 101; and “museum” has the same meaning as in 27 V.S.A. § 1151.

3 ~~(38)~~(39) “Specialty beer” means a malt beverage that contains more  
4 than eight percent alcohol and not more than 16 percent alcohol by volume at  
5 60 degrees Fahrenheit.

6 ~~(39)~~(40) “Spirits” means beverages that contain more than one percent  
7 alcohol obtained by distillation, by chemical synthesis, or through  
8 concentration by freezing; vinous beverages containing more than 23 percent  
9 alcohol; and malt beverages containing more than 16 percent alcohol by  
10 volume at 60 degrees Fahrenheit. “Spirits” does not include low-alcohol  
11 spirits beverages.

12 ~~(40)~~(41) “Third-class license” means a license granted by the Board of  
13 Liquor and Lottery permitting the licensee to sell spirits and fortified wines for  
14 consumption only on the premises for which the license is granted.

15 ~~(41)~~(42) “Vinous beverages” means all fermented beverages of any  
16 name or description manufactured or obtained for sale from the natural sugar  
17 content of fruits or other agricultural product, containing sugar, the alcoholic  
18 content of which is not less than one percent nor more than 16 percent by  
19 volume at 60 degrees Fahrenheit. “Vinous beverages” include low-alcohol  
20 spirits beverages.



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Sec. 4. EFFECTIVE DATE

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This act shall take effect on July 1, 2021.