

1 H.590

2 Introduced by Representative Birong of Vergennes

3 Referred to Committee on

4 Date:

5 Subject: Alcoholic beverages; general provisions; definitions

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

9 An act relating to low-alcohol spirits beverages

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

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

12 § 2. DEFINITIONS

13 As used in this title:

14 * * *

15 (25) “Low-alcohol spirits beverage” means an alcoholic beverage
16 containing more than one percent alcohol by volume and not more than
17 16 percent alcohol by volume obtained by distillation, by chemical synthesis,
18 or through concentration by freezing and mixed with nonalcoholic beverages,
19 flavoring, or coloring materials. Low-alcohol spirits beverages may also
20 contain water, fruit juices, fruit adjuncts, sugar, carbon dioxide, preservatives,

1 and other ingredients. A low-alcohol spirits beverage shall be a spirit if the
2 low-alcohol spirits beverage:

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

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

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

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

11 (26)(27) “Manufacturer’s or rectifier’s license” means a license granted
12 by the Board of Liquor and Lottery that permits the holder to manufacture or
13 rectify malt beverages, vinous beverages and fortified wines, or spirits and
14 fortified wines.

15 (27)(28) “Minor” means an individual who has not attained 21 years of
16 age.

17 (28)(29) “Outside consumption permit” means a permit granted by the
18 Division of Liquor Control allowing the holder of a first-class, first- and third-
19 class, or fourth-class license to allow for consumption of alcoholic beverages
20 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, 2022.