

1                                   \* \* \* Direct-to-Consumer Shipping of Spirits \* \* \*

2       Sec. X. 7 V.S.A. § 277a is added to read:

3       § 277a. SPIRITS CONSUMER SHIPPING LICENSE

4           (a) An in-state or out-of-state consumer shipping license may be granted to  
5       a manufacturer or rectifier of spirits or fortified wines in the same manner as a  
6       manufacturer or rectifier of malt or vinous beverages pursuant to section 277  
7       of this title. An in-state or out-of-state spirits or fortified wines consumer  
8       shipping license may only be granted to a manufacturer that meets all the  
9       requirements of sections 277 and 279 of this title.

10          (b)(1) For purposes of this subsection, “listed product” means any spirit or  
11       fortified wine that is listed for retail sale by the Department of Liquor and  
12       Lottery.

13          (2) The holder of a consumer shipping license that ships fortified wines  
14       or spirits shall:

15                (A) register each listed product intended for sale within the State and  
16       affirm that it is the brand owner for each product registered;

17                (B) submit each listed product registration to the Division on a form  
18       prescribed by the Division; and

19                (C) sell any listed fortified wines or spirits at the prevailing retail  
20       price set by the Department.

1           (3) Products that are not listed products do not need to be registered with  
2           the Division and do not need to be sold at the prevailing retail price set by the  
3           Department.

4           (c) The product registrations required by subsection (b) of this section shall  
5           remain valid, provided that the spirits or fortified wines consumer shipping  
6           license is valid. In the event of a change of ownership, the new owner shall  
7           renew the registration with the Division.

8           (d) In any calendar year, a spirits or fortified wines consumer shipping  
9           licensee shall not ship to any one Vermont resident more than:

10           (1) 12 cases of fortified wines containing not more than 29 gallons of  
11           fortified wines; or

12           (2) two cases of spirits containing not more than 4.8 gallons of spirits.

13           (e) Notwithstanding subdivision 279(4) of this title, the holder of a spirits  
14           or fortified wines consumer shipping license shall submit to the Division  
15           quarterly reports containing the information required by subdivision 279(4).

16           (f) A common carrier may deliver fortified wines and spirits, provided that  
17           the common carrier has fulfilled the requirements of section 280 of this title.

18           (g) A tax of six percent is assessed on the gross revenue from the direct-to-  
19           consumer sale of spirits and fortified wines pursuant to this section. The tax  
20           assessed pursuant to this subsection shall be designated to a fund, established  
21           within the Liquor Enterprise Fund, for purposes of supporting the 802 Spirits  
22           retail locations throughout the State.