

HOUSE BILL 2020

By Marsh

AN ACT to amend Tennessee Code Annotated, Title 57,  
Chapter 4, Part 1, relative to tastings of alcoholic  
beverages for educational purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 57-4-109, is amended by deleting the  
section and substituting:

(a) A qualified student may taste alcoholic beverages, and the student, the  
authorized instructor, and the qualified academic institution in which the student is  
enrolled are not subject to criminal prosecution under § 57-5-301, § 57-4-203, § 39-15-  
404, or title 39, chapter 17, part 7, if:

(1) The qualified student tastes the alcoholic beverage while enrolled in a  
qualified academic institution;

(2) The qualified academic institution has established a program of study  
that is designed to train industry professionals in the production of fermented or  
distilled food or beverage products;

(3) The qualified student tastes the alcoholic beverage for educational  
purposes as part of the instruction in a course or training required for the  
program of study; and

(4) The alcoholic beverage remains in the control of an authorized  
instructor of the qualified academic institution who is at least twenty-one (21)  
years of age.

(b) This section does not authorize a student under twenty-one (21) years of age to receive an alcoholic beverage unless it is delivered as part of the student's curriculum requirements in the student's program of study.

(c) A license or permit is not required to be held by a qualified academic institution engaging in the activities authorized by this section; provided, that an extra fee or charge is not imposed for the alcoholic beverages being tasted. Tuition normally charged for a course must not be considered an extra fee or charge.

(d) As used in this section:

(1) "Alcoholic beverage" includes beer as defined in § 57-5-101;

(2) "Program of study" means:

(A) An academic program offered by a qualified academic institution that leads to a certificate, diploma, associate degree, or bachelor's degree; or

(B) An apprenticeship program facilitated by a qualified academic institution;

(3) "Qualified academic institution" means a public or private postsecondary institution accredited by a commission recognized by the United States department of education;

(4) "Qualified student" means a student enrolled in a fermentation science, wine making, mead making, brewing, or distilling program of study at a qualified academic institution; and

(5) "Taste" means to draw an alcoholic beverage into the mouth, but does not include swallowing or otherwise consuming the alcoholic beverage.

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.