



132nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2025

Legislative Document

No. 631

H.P. 399

House of Representatives, February 25, 2025

An Act to Allow a Home Distiller to Distill and Share Homemade Spirituous Liquor

Received by the Clerk of the House on February 20, 2025. Referred to the Committee on Veterans and Legal Affairs pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

A handwritten signature in black ink, reading "Robert B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative SCHMERSAL-BURGESS of Mexico. (BY REQUEST)
Cosponsored by Senator MARTIN of Oxford and
Representatives: BAGSHAW of Windham, HALL of Wilton, HENDERSON of Rumford,
LAVIGNE of Berwick, LYMAN of Livermore Falls, OLSEN of Raymond, PERKINS of
Dover-Foxcroft, SOBOLESKI of Phillips.

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 28-A MRSA §1358 is enacted to read:

§1358. Home distillery establishments

1. Definitions. For purposes of this section, the following terms have the following meanings.

A. "Home distillery" means a distillery located in a dwelling or on property connected with a dwelling, including, but not limited to, a shed, yard or enclosure. For purposes of this paragraph, "dwelling" means a residential structure, including, but not limited to, a house, individual condominium unit, mobile home or trailer, if it is used as a residence.

B. "Mash capacity" means the volume of a mash tun, which is the vessel used to mix crushed grains and water to begin the brewing process.

C. "Proof gallon" means one liquid gallon of spirits that is 50% alcohol at 60 degrees Fahrenheit.

2. Personal use allowed. Notwithstanding chapter 83, the owner of a home distillery may produce distilled spirits solely for personal use, including, but not limited to, personal consumption, serving the product to the owner's family members and guests to be consumed on the premises where the home distillery is located or shipping the product to the owner's family members and friends.

3. Prohibitions. The owner of a home distillery may not:

A. Have on the premises of the home distillery stills or distilling apparatuses that have a mash capacity of more than 15.5 gallons;

B. Produce more than 24 proof gallons of distilled spirits per person 21 years of age or older residing on the premises where the home distillery is located in a calendar year;

C. Produce more than 48 proof gallons in a calendar year; or

D. Sell or offer for sale any spirits produced in the home distillery.

4. Violation. Violation of this section is a Class E crime.

SUMMARY

This bill allows the owner of a home distillery to produce distilled spirits solely for personal use, including, but not limited to, personal consumption, serving the product to the owner's family members and guests to be consumed on the premises where the home distillery is located or shipping the product to the owner's family members and friends.

The bill prohibits the owner of a home distillery from having on the premises stills or distilling apparatuses that have a mash capacity of more than 15.5 gallons; producing more than 24 gallons of distilled spirits per person 21 years of age or older residing on the premises where the home distillery is located in a calendar year; producing more than 48 gallons in a calendar year; or selling or offering for sale any spirits produced in the home distillery. The bill specifies that a violation of these provisions is a Class E crime.