

SENATE BILL NO. 209

INTRODUCED BY G. HERTZ

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING LAWS RELATING TO MONTANA DISTILLERIES;
REVISING HOURS OF OPERATION TO ALIGN WITH BREWERY SAMPLE ROOMS; INCREASING THE
AMOUNT FOR OFF-PREMISES SALES; AND AMENDING SECTION 16-4-312, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 16-4-312, MCA, is amended to read:

"16-4-312. Domestic distillery. (1) A distillery located in Montana and licensed pursuant to 16-4-311
may:

(a) import necessary products in bulk;
(b) bottle, produce, blend, store, transport, or export liquor that it produces; and
(c) perform those operations that are permitted for bonded distillery premises under applicable
regulations of the United States department of the treasury.

(2) (a) A distillery that is located in Montana and licensed pursuant to 16-4-311 shall sell liquor to
the department under this code, and the department shall include the distillery's liquor as a listed product.

(b) The distillery may use a common carrier for delivery of the liquor to the department.

(c) A distillery that produces liquor within the state under this subsection (2) shall maintain records
of all sales and shipments. The distillery shall furnish monthly and other reports concerning quantities and
prices of liquor that it ships to the department and other information that the department may determine to be
necessary to ensure that distribution of liquor within this state conforms to the requirements of this code.

(3) A microdistillery may:

(a) provide, with or without charge, not more than 2 ounces of liquor that it produces at the
microdistillery to consumers for prepared servings though curbside pickup between 10 a.m. and 8 p.m. or
consumption on the premises during the hours of operation provided for in 16-3-213(2)(b) between 10 a.m. and
8 p.m.; or

1 (b) sell liquor in original packaging that it produces at retail at the distillery between the hours of 8
2 a.m. and 2 a.m. directly to the consumer, including curbside pickup, for off-premises consumption if:

3 (i) not more than ~~1.75~~ 4.5 liters a day is sold to an individual; and

4 (ii) the minimum retail price as determined by the department is charged."

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