

2024 Regular Session

SENATE BILL NO. 230

BY SENATOR DUPLESSIS

ALCOHOLIC BEVERAGES. To provide for microbrewery retail sales on or off premises.
(8/1/24)

AN ACT

To amend and reenact R.S. 26:271.1(B), and to enact R.S. 26:271.1(A)(4), relative to microbreweries; to provide for retail sales on and off premises; to provide for the transfer of manufactured beverages under certain circumstances; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 26:271.1(B) is hereby amended and reenacted and R.S. 26:271.1(A)(4) is hereby enacted to read as follows:

§271.1. Microbrewery; retail sales on or off premises

A. * * *

(4) A licensed wholesaler may transfer manufactured beverages from a permitted microbrewery to any authorized liquor retailer as defined in R.S. 26:241 for resale provided all of the following conditions are met:

(a) The microbrewery offering the manufactured beverages for resale purposes shall produce no more than one thousand five hundred barrels during the applicable license year.

(b) The microbrewery transferring the manufactured beverages shall be

responsible for paying all applicable federal, state, and local excise taxes on the transferred manufactured beverages.

B. The provisions of this Section shall not authorize the holder of a microbrewer's permit **who produces more than one thousand five hundred barrels during the applicable license year** to sell the manufactured beverages at wholesale.

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The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Alan Miller.

DIGEST

SB 230 Original

2024 Regular Session

Duplessis

Present law authorizes a permitted microbrewer to engage in the brewing of beer and other malt beverages (manufactured beverages) in a quantity not to exceed 12,500 barrels per year.

Present law authorizes the permitted microbrewer to sell manufactured beverages at retail for consumption on or off the licensed premises, if the permitted microbrewer also possesses a Retailer, Class A permit.

Present law authorizes a licensed wholesaler to transfer from a permitted microbrewery to another permitted microbrewery up to 50% of the total manufactured beverages sold at the receiving microbrewery under certain circumstances.

Proposed law authorizes a licensed wholesaler to transfer manufactured beverages from a permitted microbrewery to any authorized liquor retailer for resale only if all of the following conditions are met:

- (1) The microbrewery offering the manufactured beverages for resale purposes produce no more than 1,500 barrels per year.
- (2) The microbrewery transferring the manufactured beverages be responsible for paying all applicable federal, state, and local excise taxes on the transferred manufactured beverages.

Present law prohibits a microbrewer from selling manufactured beverages at wholesale.

Proposed law provides an exception to present law by allowing a microbrewer who produces no more than 1,500 barrels per year to sell manufactured beverages at wholesale.

Effective August 1, 2024.

(Amends R.S. 26:271.1(B); adds R.S. 26:271.1(A)(4))