

2024 Regular Session

HOUSE BILL NO. 821

BY REPRESENTATIVE ROMERO

ALCOHOLIC BEVERAGES: Provides relative to brewing facilities located in the state

1 AN ACT

2 To amend and reenact R.S. 26:243, relative to the Alcoholic Beverage Control Law; to
3 provide relative to self-distribution; to provide relative to limitations; and to provide
4 for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 26:243 is hereby amended and reenacted to read as follows:

7 §243. Transfer

8 Notwithstanding any provision of law to the contrary, a brewer who operates
9 a brewing facility located entirely within the state of Louisiana and who holds an in-
10 state manufacturer's permit may ~~use a wholesaler, for a set fee, to~~ transfer beer or
11 other malt beverages brewed at the brewing facility to another brewing facility in the
12 state owned wholly by the brewer to sell or serve to the public for consumption on
13 or off the licensed premises under the following circumstances:

14 (1) ~~A transferring brewing facility shall maintain no less than a ten-barrel~~
15 ~~brewing system. A receiving brewing facility owned wholly by the transferring~~
16 ~~brewing facility shall maintain no less than a five-barrel brewing system.~~

17 (2) The quantity of beer transferred shall be included in the quantity
18 limitation for selling products by a brewer to the public for on or off the licensed
19 premises consumption in R.S. 26:241(18) for the brewing facility receiving the
20 transferred beer.

1 ~~(3)~~ The quantity of beer transferred shall not exceed an amount greater than
2 fifty percent of the receiving brewing facility's production of beer for the previous
3 month.

4 ~~(4)~~(2) The receiving brewing facility shall remit all state and parish or
5 municipal sales and excise taxes to the proper tax collecting authority for all products
6 received and sold to the public.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 821 Original

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Romero

Abstract: Provides relative to the self-distribution of beer and malt beverages under certain conditions.

Present law authorizes a brewer who operates a brewing facility located entirely within the state and who holds an in-state manufacturer's permit to use a wholesaler, for a set fee, to transfer beer or other malt beverages brewed at the brewing facility to another brewing facility in the state owned wholly by the brewer to sell or serve to the public for consumption on- or off-the-licensed premises under the following circumstances:

- (1) A transferring brewing facility that maintains no less than a 10-barrel brewing system, and the receiving brewing facility owned wholly by the transferring brewing facility maintains no less than a five-barrel brewing system.
- (2) The quantity of beer transferred is included in the quantity limitation for selling products by a brewer to the public for on- or off-the-licensed premises consumption for the brewing facility receiving the transferred beer.
- (3) The quantity of beer transferred does not exceed an amount greater than 50% of the receiving brewing facility's production of beer for the previous month.
- (4) The receiving brewing facility remits all state and parish or municipal sales and excise taxes to the proper tax collecting authority for all products received and sold to the public.

Proposed law removes the requirement that a transferring brewing facility that maintains no less than a 10-barrel brewing system, and the receiving brewing facility owned wholly by the transferring brewing facility maintains no less than a five-barrel brewing system. Removes the requirement that the quantity of beer transferred does not exceed an amount greater than 50% of the receiving brewing facility's production of beer for the previous month.

(Amends R.S. 26:243)