

HOUSE No. 202

The Commonwealth of Massachusetts

PRESENTED BY:

William M. Straus

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to farmer-wineries.

PETITION OF:

NAME:

William M. Straus

DISTRICT/ADDRESS:

10th Bristol

HOUSE No. 202

By Mr. Straus of Mattapoisett, a petition (accompanied by bill, House, No. 202) of William M. Straus relative to farmer-wineries license fees . Consumer Protection and Professional Licensure.

The Commonwealth of Massachusetts

**In the One Hundred and Ninetieth General Court
(2017-2018)**

An Act relative to farmer-wineries.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 19B of chapter 138 of the General Laws, as appearing in the 2014
2 Official Edition, is hereby amended by striking subsection (l) and inserting in place thereof the
3 following subsection:-

4 (l) The annual license fee for each winegrower, in respect of each winery, shall be
5 computed based on the wine gallonage produced by the winery as follows:

6 5,000 gallons or less per year: \$ 172. per year

7 More than 5,000 and less than 20,000 gallons per year: \$ 194. per year

8 More than 20,000 gallons and less than 100,000 gallons per year: \$ 232. per year

9 More than 100,000 and less than 200,000 gallons per year: \$260. per year

10 More than 200,000 and less than 1,000,000 gallons per year: \$260. per year

11 Each additional 1,000,000 gallons per year: \$111. per year

12 SECTION 2. Said section 19B of said chapter 138, as so appearing, is hereby amended
13 by inserting after subsection (n) the following subsections:-

14 (o) Notwithstanding section 22, a winegrower authorized to operate a farmer-winery
15 under this section may transport and deliver anywhere in the commonwealth alcoholic beverages
16 or alcohol lawfully bought or sold by them in vehicles owned or leased by them or their
17 employees.

18 (p) Upon payment of the fee stated in subsection (l), a winegrower authorized to operate a
19 farmer-winery under this section shall be granted a direct shipment license under section 19F.

20 SECTION 3. Section 70 of said Chapter 138, as so appearing, is hereby amended by
21 striking, in line 6, the figure “90B,”.

22 SECTION 4. Section 21 of said chapter 138, as so appearing, is hereby amended by
23 inserting in line 69 after the word “thirteen.” the following sentence:-

24 No excise shall be imposed under this section on wine produced by a winegrower
25 licensed under section 19B that is used or consumed for the purposes of testing, tasting or
26 sampling the wine.

27 SECTION 5. Subsection (k) of section 16 of chapter 62C of the General Laws, as so
28 appearing, is hereby amended by inserting in line 119 after the word “him” the following words:-

29 ; provided, that farmer-winereries licensed under section 19B of chapter 138 that produce
30 less than 20,000 gallons of wine per year may elect to file a single return covering the prior
31 calendar year.