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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-NINTH SESSION

H. F. No. 2482

01/29/2016 Authored by Anderson, M.,
The bill was referred to the Committee on Commerce and Regulatory Reform

1.1 A bill for an act
1.2 relating to liquor; expanding packaging of malt liquor for off-sale by a brew
1.3 pub or small brewer; amending Minnesota Statutes 2015 Supplement, sections
1.4 340A.24, subdivision 2; 340A.28, subdivision 1; 340A.285.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2015 Supplement, section 340A.24, subdivision 2,
1.7 is amended to read:

1.8 Subd. 2. **Off-sale license.** Notwithstanding section 340A.405, a brew pub that
1.9 holds an on-sale license issued pursuant to this section may, with the approval of the
1.10 commissioner, be issued a license by a municipality for off-sale of malt liquor produced
1.11 and packaged on the licensed premises. Off-sale of malt liquor shall be limited to the legal
1.12 hours for off-sale at exclusive liquor stores in the jurisdiction in which the brew pub is
1.13 located, and the malt liquor sold off-sale must be removed from the premises before
1.14 the applicable off-sale closing time at exclusive liquor stores, except that malt liquor in
1.15 growlers only may be sold at off-sale on Sundays. Sunday sales must be approved by the
1.16 licensing jurisdiction and hours may be established by those jurisdictions. Packaging of
1.17 malt liquor for off-sale under this subdivision must comply with section 340A.285 or
1.18 Minnesota Rules, part 7515.1090.

1.19 Sec. 2. Minnesota Statutes 2015 Supplement, section 340A.28, subdivision 1, is
1.20 amended to read:

1.21 Subdivision 1. **License; limitations.** A brewer licensed under section 340A.301,
1.22 subdivision 6, clause (c), (i), or (j), may be issued a license by a municipality for off-sale
1.23 of malt liquor at its licensed premises that has been produced and packaged by the brewer.

2.1 The license must be approved by the commissioner. A brewer may only have one license
2.2 under this subdivision. The amount of malt liquor sold at off-sale may not exceed 500
2.3 barrels annually. Off-sale of malt liquor shall be limited to the legal hours for off-sale at
2.4 exclusive liquor stores in the jurisdiction in which the brewer is located, and the malt
2.5 liquor sold off-sale must be removed from the premises before the applicable off-sale
2.6 closing time at exclusive liquor stores, except that malt liquor in growlers only may be sold
2.7 at off-sale on Sundays. Sunday sales must be approved by the licensing jurisdiction and
2.8 hours may be established by those jurisdictions. Packaging of malt liquor for off-sale under
2.9 this subdivision must comply with section 340A.285 or Minnesota Rules, part 7515.1090.

2.10 Sec. 3. Minnesota Statutes 2015 Supplement, section 340A.285, is amended to read:

2.11 **340A.285 GROWLERS.**

2.12 (a) Malt liquor authorized for off-sale pursuant to section 340A.24 or 340A.28
2.13 ~~shall~~ may be packaged in 64-ounce containers commonly known as "growlers" or in 750
2.14 milliliter bottles. The containers or bottles shall bear a twist-type closure, cork, stopper,
2.15 or plug. At the time of sale, a paper or plastic adhesive band, strip, or sleeve shall be
2.16 applied to the container or bottle and extended over the top of the twist-type closure, cork,
2.17 stopper, or plug forming a seal that must be broken upon opening the container or bottle.
2.18 The adhesive band, strip, or sleeve shall bear the name and address of the brewer. The
2.19 containers or bottles shall be identified as malt liquor, contain the name of the malt liquor,
2.20 bear the name and address of the brew pub or brewer selling the malt liquor, and shall
2.21 be considered intoxicating liquor unless the alcoholic content is labeled as otherwise in
2.22 accordance with the provisions of Minnesota Rules, part 7515.1100.

2.23 (b) A brew pub or brewer may, but is not required to, refill any container or bottle
2.24 with malt liquor for off-sale at the request of the customer. A brew pub or brewer refilling
2.25 a container or bottle must do so at its licensed premises and the container or bottle must be
2.26 filled at the tap at the time of sale. A container or bottle refilled under this paragraph must
2.27 be sealed and labeled in the manner described in paragraph (a).