

HOUSE BILL 2304

By Swann

AN ACT to amend Tennessee Code Annotated, Section 57-4-102, relative to hotels.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 57-4-102(20)(F)(iii), is amended by adding the following as new subdivisions (e) and (f) and redesignating current subdivisions (e) and (f) accordingly:

(e) Has access to the Double Branch Creek and tributaries, notwithstanding that such creek and tributaries are not contiguous and may be divided by a public or private road;

(f) Has at least two thousand seven hundred sixteen (2,716) acres of land that has been placed in conservation easement;

SECTION 2. Tennessee Code Annotated, Section 57-4-102(20)(F)(iii), is further amended by adding the following as a new, appropriately designated subdivision:

(i) Notwithstanding this title or any rule to the contrary, a hotel under this subdivision (20)(F)(iii) shall be able to:

(1) Hold a manufacturer's license under § 57-3-202 or a nonmanufacturer nonresident seller's permit under § 57-3-602(c), and such license or permit may be for facilities on or off the hotel premises;

(2) Offer tastings, with or without charge, and sell sealed bottles in a tasting room or a gift shop on the hotel premises of product manufactured pursuant to the license or permit in (20)(F)(iii)(i)(1), as long as such tastings and sealed bottles are offered only to guests of the hotel, as defined in this section,

and private owners of homes on the hotel property and are not offered anywhere except in the tasting room and the gift shops;

(3) Sell beer and alcoholic beverages by the drink for on-premises consumption anywhere on the hotel premises, except for the tasting room and the gift shops; and

(4) Only sell at retail or provide samples of product that it has obtained from a wholesaler licensed under § 57-3-203, and such wholesaler shall remit all taxes imposed under §§ 57-3-302 and 57-3-501, which shall be collected from the hotel based upon its retail sales, and § 57-6-201. For products acquired from a wholesaler by a hotel under this subdivision (20)(F)(iii) that are manufactured by the hotel, the wholesaler may permit the hotel to deliver its products to the location on its premises where such retail sales and samples will be effected, provided the wholesaler permitting such direct shipment must include the amounts delivered in its inventory and depletions for purposes of tax collections.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring

it.