

SENATE BILL 796

By Dickerson

AN ACT to amend Tennessee Code Annotated, Title 57, relative to authorizing the sale of alcoholic beverages at retail on certain historic property within any county having a metropolitan form of government and a population of not less than five hundred thousand (500,000), according to the 2010 federal census or any subsequent federal census.

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

SECTION 1. Tennessee Code Annotated, Section 57-3-204(h)(1), is amended by deleting the language "pursuant to § 57-4-101(a)(1)" and substituting instead the language "pursuant to § 57-4-101(a)(1) or a winery licensed pursuant to § 57-3-207".

SECTION 2. Tennessee Code Annotated, Section 57-3-204(h), is amended by deleting subdivision (3) in its entirety and substituting instead the following language:

(A) A winery licensed pursuant to § 57-3-207, may also own, or operate, a retail license issued under this section to permit off-premise consumption and serve complimentary tastings if:

(i) The retail licensee is located within the same structure as the winery or in another structure on the same property, in a defined section or portion of the structure, as approved by the commission; provided, that the winery may use the same employees and point of sale system for the winery and retail store;

(ii) The retail licensee is located on a tract or tracts of land having at least twenty-four (24) contiguous acres;

(iii) The retail licensee is located on property adjacent to a federal highway;

(iv) The retail licensee is located on property with a commercial railroad track not more than two hundred fifty feet (250') from the nearest property line;

(v) The retail licensee is located on property with a structure that was originally constructed prior to 1860 as a private residence;

(vi) The retail licensee is located on property that is leased or owned by a not-for-profit corporation that qualifies under the Internal Revenue Code Section 501(c)(3); and

(vii) The retail licensee is located on property located within the jurisdictional limits of a county with a metropolitan form of government having a population of not less than five hundred thousand (500,000), according to the 2010 federal census or any subsequent federal census.

(B) Notwithstanding § 57-3-208, the retail license issued to a winery pursuant to subdivision (h)(3)(A) shall be subject to the requirements of this title. It shall be the duty of the commission to verify that all persons owning or operating a retail license issued under subdivision (h)(3)(A) meet the qualifications to receive a license.

SECTION 3. Tennessee Code Annotated, Section 57-3-204, is amended by adding the following language as a new subsection:

(j) Any restaurant or winery licensed pursuant to subsection (h) is authorized to serve complimentary samples on the premises of the restaurant or winery as defined by the commission.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.