

2019 -- H 5217

LC001097

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2019

A N A C T

RELATING TO ALCOHOLIC BEVERAGES - BREWERIES

Introduced By: Representatives Morin, Marszalkowski, Solomon, Casey, and Phillips

Date Introduced: January 30, 2019

Referred To: House Small Business

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 3-6-1 of the General Laws in Chapter 3-6 entitled "Manufacturing
2 and Wholesale Licenses" is hereby amended to read as follows:

3 **3-6-1. Manufacturer's license.**

4 (a) A manufacturer's license authorizes the holder to establish and operate a brewery,
5 distillery, or winery at the place described in the license for the manufacture of beverages within
6 this state. The license does not authorize more than one of the activities of operator of a brewery
7 or distillery or winery and a separate license shall be required for each plant.

8 (b) The license also authorizes the sale at wholesale, at the licensed place by the
9 manufacturer of the product of the licensed plant, to another license holder and the transportation
10 and delivery from the place of sale to a licensed place or to a common carrier for that delivery.
11 The license does authorize the sale of beverages for consumption on premises where sold;
12 provided that the manufacturer does not sell an amount in excess of thirty-six ounces (36 oz.) of
13 malt beverage or four and one-half ounces (4.5 oz.) of distilled spirits per visitor, per day, or a
14 combination not greater than three (3) drinks where a drink is defined as twelve ounces (12 oz.)
15 of beer or one and one-half ounces (1.5 oz.) of spirits, for consumption on the premises. The
16 license also authorizes the sale of beverages produced on the premises in an amount not in excess
17 of two hundred eighty-eight ounces (288 oz.) of malt beverages, or seven hundred fifty milliliters
18 (750 ml) of distilled spirits per visitor, per day, to be sold in containers that may hold no more
19 than seventy-two ounces (72 oz.) each. These beverages may be sold to the consumers for off-

1 premises consumption, and shall be sold pursuant to the laws governing retail Class A
2 establishments. The containers for the sale of beverages for off-premises consumption shall be
3 sealed. The license does not authorize the sale of beverages in this state for delivery outside this
4 state in violation of the law of the place of delivery. The license holder may provide to visitors, in
5 conjunction with a tour or tasting, samples, clearly marked as samples, not to exceed three
6 hundred seventy-five milliliters (375 ml) per visitor for distilled spirits and seventy-two ounces
7 (72 oz.) per visitor for malt beverages at the licensed plant by the manufacturer of the product of
8 the licensed plant to visitors for off-premises consumption. The license does not authorize
9 providing samples to a visitor of any alcoholic beverages for off-premises consumption that are
10 not manufactured at the licensed plant. [The limitations on the quantities of malt beverages that](#)
11 [can be sold at retail pursuant to this section shall not apply to licensed breweries.](#)

12 (c) The annual fee for the license is three thousand dollars (\$3,000) for a distillery
13 producing more than fifty thousand (50,000) gallons per year and five hundred dollars (\$500) for
14 a distillery producing less than or equal to fifty thousand (50,000) gallons per year; five hundred
15 dollars (\$500) for a brewery; and one thousand five hundred dollars (\$1,500) for a winery
16 producing more than fifty thousand (50,000) gallons per year and five hundred dollars (\$500) per
17 year for a winery producing less than fifty thousand (50,000) gallons per year. All those fees are
18 prorated to the year ending December 1 in every calendar year and shall be paid to the general
19 treasurer for the use of the state.

20 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO ALCOHOLIC BEVERAGES - BREWERIES

1 This act would remove the limitations on the quantities of malt beverages that can be sold
2 at retail by licensed breweries.

3 This act would take effect upon passage.

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