

2020 -- H 8005

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LC005162
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2020

A N A C T

RELATING TO ALCOHOLIC BEVERAGES - MANUFACTURING AND WHOLESALE
LICENSES - BREWERIES AND DISTILLERIES

Introduced By: Representatives Morin, Phillips, Place, McKiernan, and Amore

Date Introduced: March 12, 2020

Referred To: House Special Legislation

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 or
7 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. The
11 license does authorize the sale of beverages for consumption on premises where sold; provided that
12 the manufacturer does not sell an amount in excess of thirty-six ounces (36 oz.) of malt beverage
13 or four and one-half ounces (4.5 oz.) of distilled spirits per visitor, per day, or a combination not
14 greater than three (3) drinks where a drink is defined as twelve ounces (12 oz.) of beer or one and
15 one-half ounces (1.5 oz.) of spirits, for consumption on the premises. The license also authorizes
16 the sale of beverages produced on the premises [for off-premises consumption](#) in an amount not in
17 excess of ~~twenty four (24) twelve ounce (12 oz.) bottles or cans or twenty four (24) sixteen ounce~~
18 ~~(16 oz.) bottles or cans of malt beverages, or seven hundred fifty milliliters (750 ml)~~ [one case or](#)

1 equivalent or one and three-quarters liters (1.75 L) of distilled spirits per visitor, per day, ~~to be sold~~
2 ~~in containers that may hold no more than seventy-two ounces (72 oz.) each.~~ except:

3 (1) Brewers manufacturing less than two thousand five hundred (2,500) barrels per year
4 shall be able to sell not more than ten (10) cases or equivalent per person, per day;

5 (2) Brewers manufacturing less than five thousand (5,000) barrels per year shall be able to
6 sell not more than five (5) cases or equivalent per person, per day;

7 (3) Distilleries manufacturing less than seven thousand five hundred gallons (7,500 gal.)
8 per year shall be able to sell not more than ten liters (10 L) per person, per day; and

9 (4) Distilleries manufacturing less than fifteen thousand gallons (15,000 gal.) per year shall
10 be able to sell not more than five liters (5 L) per person, per day.

11 (c) These beverages may be sold to the consumers for off-premises consumption, and shall
12 be sold pursuant to the laws governing retail Class A establishments. The containers for the sale of
13 beverages for off-premises consumption shall be sealed. The license does not authorize the sale of
14 beverages in this state for delivery outside this state in violation of the law of the place of delivery.
15 The license holder may provide to visitors, in conjunction with a tour or tasting, samples, clearly
16 marked as samples, not to exceed three hundred seventy-five milliliters (375 ml) per visitor for
17 distilled spirits and seventy-two ounces (72 oz.) per visitor for malt beverages at the licensed plant
18 by the manufacturer of the product of the licensed plant to visitors for off-premises consumption.
19 The license does not authorize providing samples to a visitor of any alcoholic beverages for off-
20 premises consumption that are not manufactured at the licensed plant. All manufacturer licenses
21 conducting retail sales and/or providing samples shall be subject to compliance with alcohol server
22 training and liquor liability insurance requirements set forth in §§ 3-7-6.1 and 3-7-29 and the
23 regulations promulgated thereunder.

24 ~~(e)~~(d) The annual fee for the license is three thousand dollars (\$3,000) for a distillery
25 producing more than fifty thousand (50,000) gallons per year and five hundred dollars (\$500) for a
26 distillery producing less than or equal to fifty thousand (50,000) gallons per year; five hundred
27 dollars (\$500) for a brewery; and one thousand five hundred dollars (\$1,500) for a winery
28 producing more than fifty thousand (50,000) gallons per year and five hundred dollars (\$500) per
29 year for a winery producing less than fifty thousand (50,000) gallons per year. All those fees are
30 prorated to the year ending December 1 in every calendar year and shall be paid to the general
31 treasurer for the use of the state.

32 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 - MANUFACTURING AND WHOLESALE
LICENSES - BREWERIES AND DISTILLERIES

- 1 This act would modify limitations on quantities of malt beverages and distilled spirits that
- 2 can be sold at retail by certain licensed breweries and distilleries for off-premises consumption.
- 3 This act would take effect upon passage.

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