

1 HB134  
2 181052-1  
3 By Representative Faulkner  
4 RFD: Economic Development and Tourism  
5 First Read: 07-FEB-17

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8 SYNOPSIS: Under existing law, tastings of wine and  
9 beer are not allowed in retail stores that sell  
10 wine and beer for off-premises consumption.

11 This bill would authorize wine and beer  
12 tastings inside certain grocery stores that are  
13 licensed to sell wine and beer for off-premises  
14 consumption by the Alcoholic Beverage Control  
15 Board.

16 This bill would limit the size of wine and  
17 beer tastings conducted inside a grocery store.

18 This bill would also authorize the Alcoholic  
19 Beverage Control Board to adopt rules to regulate  
20 the procedure for wine and beer tastings inside a  
21 grocery store.

22  
23 A BILL  
24 TO BE ENTITLED  
25 AN ACT  
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1                   Relating to alcoholic beverages; to add Section  
2                   28-3A-20.3 to the Code of Alabama 1975, to authorize wine and  
3                   beer tastings inside certain grocery stores that are licensed  
4                   to sell wine and beer for off-premises consumption by the  
5                   Alcoholic Beverage Control Board; to limit the size of wine  
6                   and beer tastings conducted inside a grocery store; and to  
7                   authorize the Alcoholic Beverage Control Board to adopt rules  
8                   to regulate the procedure for wine and beer tastings inside a  
9                   grocery store.

10                  BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

11                         Section 1. Section 28-3A-20.3 is added to the Code  
12                         of Alabama 1975, to read as follows:

13                                 §28-3A-20.3.

14                                 (a) For purposes of this section, "grocery store"  
15                                 means an establishment primarily engaged in the retail sale of  
16                                 a variety of food products, which may include meat and  
17                                 produce, for off-premises consumption, with annual sales of at  
18                                 least two million dollars (\$2,000,000). A grocery store is  
19                                 commonly known as a supermarket, food store, grocery store, or  
20                                 food warehouse and typically has six or more checkout lanes  
21                                 with registers, bar code scanners, and conveyor belts.

22                                 (b) A grocery store that is licensed to sell wine  
23                                 and beer for off-premises consumption may conduct tastings of  
24                                 wine and beer, at no charge to the consumer, inside the  
25                                 grocery store in accordance with this section. The tastings  
26                                 may be conducted by the licensed manufacturer of the wine or

1 beer or his or her representative or by the licensed  
2 distributor of the wine or beer or his or her representative.

3 (c) A tasting may not exceed a two-ounce serving per  
4 customer for each tasting of wine or beer. The number of  
5 servings is not limited. Tastings shall commence between four  
6 o'clock p.m. and six o'clock p.m. and end within three hours  
7 of the initial tasting.

8 (d) The board may adopt rules to implement this  
9 section.

10 Section 2. This act shall become effective on the  
11 first day of the third month following its passage and  
12 approval by the Governor, or its otherwise becoming law.