

1 SB87  
2 204154-1  
3 By Senator Jones  
4 RFD: Tourism  
5 First Read: 04-FEB-20  
6 PFD: 02/03/2020

SYNOPSIS: Under existing law, a winery may not sell its own beverages for on-premises or off-premises consumption at a special event, but rather, must go through a distributor in order for its beverages to be sold at the special event.

This bill would authorize a winery or an organization comprised of grape growers and wineries to obtain a license from the Alcoholic Beverage Control Board to hold a wine festival where wineries may provide tastings and sell their wine for on-premises or off-premises consumption.

This bill would require the board to adopt rules and issue licenses for wine festivals.

A BILL  
TO BE ENTITLED  
AN ACT

Relating to wine; to add Section 28-3A-20.3 to the Code of Alabama 1975; to provide for licensure of wine

1 festivals; to authorize a winery to provide tastings and sell  
2 its wine for on-premises or off-premises consumption at a wine  
3 festival; and to require the Alcoholic Beverage Control Board  
4 to adopt rules and issue licenses.

5 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

8 §28-3A-20.3.

9 Notwithstanding any other section of this title,  
10 including, but not limited to, Sections 28-3A-6, 28-3A-25, and  
11 28-7-4, the board, upon application made on a form provided by  
12 the board at least 25 days in advance of the event for which a  
13 license is sought and accompanied by a fee not to exceed one  
14 hundred and fifty dollars (\$150), shall issue a license for a  
15 wine festival to a licensed winery, an organization comprised  
16 entirely of grape growers and wineries, a municipality, a  
17 county, or an incorporated arts council, main street program,  
18 or downtown development entity upon such terms and conditions  
19 as the board may prescribe by rule. The license shall  
20 authorize wine manufacturers to dispense tastings and sell at  
21 retail the manufacturers' table wine to patrons, guests, or  
22 members of the organization for on-premises or off-premises  
23 consumption. Wine sold at a wine festival for off-premises  
24 consumption must be sealed, labeled, packaged, and taxed in  
25 accordance with local, state, and federal laws and  
26 regulations, and wine sold for off-premises consumption by  
27 each winery may not exceed one case of wine per customer per

1 day. For purposes of this section, one case of wine means the  
2 equivalent of 12 750-milliliter bottles of wine. The sale of  
3 wine at any wine festival shall not be permitted on any Sunday  
4 after the hour of 2:00 a.m. If a wine festival is to take  
5 place entirely on the premises of the winery which was granted  
6 the license, then the board shall not require any fee for the  
7 wine festival license.

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