

1 213119-3 : n : 04/14/2021 : ED / te

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3 HOUSE ECONOMIC DEVELOPMENT & TOURISM COMMITTEE AMENDMENT TO  
4 SB322

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9 On page 1, after line 25, insert the following:

10 This bill would also authorize the Alcoholic  
11 Beverage Control Board to designate in its manufacturer  
12 license the type or types of alcoholic beverage, whether beer,  
13 wine, or liquor, a manufacturer produces.

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15 On page 2, line 7, after "consumption" insert the  
16 following:

17 ; and to provide further for manufacturer licenses  
18 issued by the Alcoholic Beverage Control Board

19  
20 On page 2, line 24, after "board." insert the  
21 following:

22 The board may consider each type of alcoholic  
23 beverage manufactured, whether beer, wine, or liquor, as a  
24 separate and distinct operation, and the license shall contain  
25 a designation of the type or types of alcoholic beverage for  
26 which a federal basic permit or brewer's notice has been  
27 filed. No licensee shall manufacture a specified type of

1 alcoholic beverage until the license contains the designation  
2 for that type.

3  
4 Beginning on page 5, line 19 and continuing through  
5 page 6, line 7, delete all the language and insert in lieu  
6 thereof the following:

7 federal laws and regulations. ~~For purposes of this~~  
8 ~~subdivision, beer produced by a parent, subsidiary, or~~  
9 ~~affiliate of the licensee, or by a contract brewery,~~  
10 ~~regardless of where the beer is produced, shall be included~~  
11 ~~for purposes of calculating the 60,000 barrel limit. For the~~  
12 purposes of calculation, the 60,000 barrel limit shall include  
13 all beer produced by the manufacturer, all beer produced by a  
14 parent, subsidiary, or affiliate of the manufacturer, and all  
15 beer brewed exclusively for the manufacturer.

16 "(3) For purposes of the retail sales permitted by a  
17 qualifying manufacturer under subdivisions (1) and (2), beer  
18 may be transferred directly between qualifying manufacturers  
19 of the same ownership in accordance with all applicable state  
20 and federal laws, rules, and regulations and sold at retail  
21 pursuant to this subsection as if it were manufactured or  
22 produced at the receiving manufacturer's licensed premises;  
23 provided, however, if at any time the combined total barrelage  
24 production of the manufacturers exceeds the 60,000-barrel  
25 limit as provided in subdivision (2), retail sales of  
26 transferred beer pursuant to this subdivision is not  
27 permitted. Taxes shall be levied at the time the beer is

1 allocated by the receiving manufacturer for the purpose of  
2 retail sale in accordance with subdivision (i)(1). For  
3 purposes of this subdivision, "same ownership" means at least  
4 75 percent ownership or control of one manufacturer by another  
5 manufacturer, or by the same persons for both manufacturers.