

**SENATE
STATE OF MINNESOTA
NINETY-FIRST SESSION**

S.F. No. 4074

(SENATE AUTHORS: JASINSKI, Rosen, Benson, Bakk and Dzedzic)

DATE
03/05/2020

D-PG
5264

Introduction and first reading

OFFICIAL STATUS

Referred to Commerce and Consumer Protection Finance and Policy

1.1 A bill for an act
1.2 relating to liquor; modifying license condition for brewer off-sale; permitting
1.3 exclusive liquor stores to refill growlers; amending Minnesota Statutes 2018,
1.4 sections 340A.28, subdivision 2; 340A.285.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2018, section 340A.28, subdivision 2, is amended to read:

1.7 Subd. 2. **Prohibition.** A municipality may not issue a license under this section to a
1.8 brewer if the brewer seeking the license, or any person having an economic interest in the
1.9 brewer seeking the license or exercising control over the brewer seeking the license, is a
1.10 ~~brewer that brews more than 20,000 barrels of its own brands of malt liquor annually or a~~
1.11 winery that produces more than 250,000 gallons of wine annually.

1.12 **EFFECTIVE DATE.** This section is effective the day following final enactment.

1.13 Sec. 2. Minnesota Statutes 2018, section 340A.285, is amended to read:

1.14 **340A.285 GROWLERS.**

1.15 (a) Malt liquor authorized for off-sale pursuant to section 340A.24 or 340A.28 shall be
1.16 packaged in 64-ounce containers commonly known as "growlers" or in 750 milliliter bottles.
1.17 The containers or bottles shall bear a twist-type closure, cork, stopper, or plug. At the time
1.18 of sale, a paper or plastic adhesive band, strip, or sleeve shall be applied to the container or
1.19 bottle and extended over the top of the twist-type closure, cork, stopper, or plug forming a
1.20 seal that must be broken upon opening the container or bottle. The adhesive band, strip, or
1.21 sleeve shall bear the name and address of the brewer. The containers or bottles shall be
1.22 identified as malt liquor, contain the name of the malt liquor, bear the name and address of

2.1 the brew pub or brewer selling the malt liquor, and shall be considered intoxicating liquor
2.2 unless the alcoholic content is labeled as otherwise in accordance with the provisions of
2.3 Minnesota Rules, part 7515.1100.

2.4 (b) A brew pub ~~or~~ brewer, or exclusive liquor store may, but is not required to, refill
2.5 any container or bottle with malt liquor for off-sale at the request of the customer. A brew
2.6 pub ~~or~~ brewer, or exclusive liquor store refilling a container or bottle must do so at its
2.7 licensed premises and the container or bottle must be filled at the tap at the time of sale. A
2.8 container or bottle refilled under this paragraph must be sealed and labeled in the manner
2.9 described in paragraph (a).

2.10 **EFFECTIVE DATE.** This section is effective the day following final enactment.