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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-EIGHTH SESSION

H. F. No. 3184

03/19/2014 Authored by FitzSimmons and Loon

The bill was read for the first time and referred to the Committee on Commerce and Consumer Protection Finance and Policy

1.1 A bill for an act
1.2 relating to liquor; authorizing the refill of a growler; amending Minnesota
1.3 Statutes 2013 Supplement, section 340A.301, subdivision 6d.

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

1.5 Section 1. Minnesota Statutes 2013 Supplement, section 340A.301, subdivision 6d,
1.6 is amended to read:

1.7 Subd. 6d. **Small brewer license.** (a) A brewer licensed under subdivision 6, clause
1.8 (c), (i), or (j), may be issued a license by a municipality for off-sale of malt liquor at its
1.9 licensed premises that has been produced and packaged by the brewer. The license must be
1.10 approved by the commissioner. The amount of malt liquor sold at off-sale may not exceed
1.11 500 barrels annually. Off-sale of malt liquor shall be limited to the legal hours for off-sale at
1.12 exclusive liquor stores in the jurisdiction in which the brewer is located, and the malt liquor
1.13 sold off-sale must be removed from the premises before the applicable off-sale closing
1.14 time at exclusive liquor stores. The malt liquor shall be packed in 64-ounce containers
1.15 commonly known as "growlers" or in 750 milliliter bottles. The containers or bottles shall
1.16 bear a twist-type closure, cork, stopper, or plug. At the time of the sale, a paper or plastic
1.17 adhesive band, strip, or sleeve shall be applied to the container or bottle and extended over
1.18 the top of the twist-type closure, cork, stopper, or plug forming a seal that must be broken
1.19 upon opening of the container or bottle. The adhesive band, strip, or sleeve shall bear the
1.20 name and address of the brewer. The containers or bottles shall be identified as malt
1.21 liquor, contain the name of the malt liquor, bear the name and address of the brewer selling
1.22 the malt liquor, and shall be considered intoxicating liquor unless the alcoholic content is
1.23 labeled as otherwise in accordance with the provisions of Minnesota Rules, part 7515.1100.

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

2.6 ~~(b)~~ (c) A brewer may only have one license under this subdivision.

2.7 ~~(e)~~ (d) A municipality may not issue a license under this subdivision to a brewer if
2.8 the brewer seeking the license, or any person having an economic interest in the brewer
2.9 seeking the license or exercising control over the brewer seeking the license, is a brewer
2.10 that brews more than 20,000 barrels of its own brands of malt liquor annually or a winery
2.11 that produces more than 250,000 gallons of wine annually.

2.12 ~~(d)~~ (e) The municipality shall impose a licensing fee on a brewer holding a license
2.13 under this subdivision, subject to limitations applicable to license fees under section
2.14 340A.408, subdivision 3, paragraph (a).