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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 5441

05/01/2024 Authored by Skraba and Altendorf The bill was read for the first time and referred to the Committee on Commerce Finance and Policy

1.1 A bill for an act
1.2 relating to liquor; permitting limited home distillation; amending Minnesota Statutes
1.3 2022, section 340A.301, subdivision 11; repealing Minnesota Statutes 2022, section
1.4 340A.705.

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

1.6 Section 1. Minnesota Statutes 2022, section 340A.301, subdivision 11, is amended to
1.7 read:

1.8 Subd. 11. Unlicensed manufacture. (a) Nothing in this chapter requires a license for
1.9 the natural fermentation of fruit juices or brewing of beer, or distillation of spirits in the
1.10 home for family use.

1.11 (b) Naturally fermented fruit juices or beer or distilled spirits made under this subdivision
1.12 may be removed from the premises where made for use at organized affairs, exhibitions,
1.13 or competitions, including, but not limited to, homemaker's contests, tastings, or judging.

1.14 (c) For purposes of this subdivision, "tastings" means an event where the general public
1.15 may sample unlicensed naturally fermented fruit juices or beer or distilled spirits.

1.16 (d) Beverages produced pursuant to this subdivision may be sampled or used in tastings
1.17 provided that the beverage is made and transported in containers and equipment that shall
1.18 not allow the migration of toxic substances.

1.19 (e) Public notice meeting the requirements of this paragraph must be given in writing
1.20 or signage at any tasting. The notice shall include disclosure that the unlicensed naturally
1.21 fermented fruit juices or beer or distilled spirits being offered is homemade and not subject
1.22 to state inspection, and may be consumed by persons over the age of 21 at their own risk.

2.1 The notice must include the name and address of the person who processed and bottled the
2.2 beverage.

2.3 (f) Naturally fermented fruit juices or beer or distilled spirits removed under this
2.4 subdivision may not be sold or offered for sale.

2.5 (g) No person may produce more than 100 gallons of distilled spirits per year under this
2.6 subdivision.

2.7 Sec. 2. **REPEALER.**

2.8 Minnesota Statutes 2022, section 340A.705, is repealed.

APPENDIX
Repealed Minnesota Statutes: 24-06044

340A.705 PRIMA FACIE EVIDENCE.

The finding of an unauthorized still is prima facie evidence of possession for the purpose of unlawful manufacture of alcoholic beverages.