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State of Minnesota

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HOUSE OF REPRESENTATIVES

NINETIETH SESSION

H. F. No. 3972

- 03/19/2018 Authored by Nash
- The bill was read for the first time and referred to the Committee on Commerce and Regulatory Reform
- 03/26/2018 Adoption of Report: Placed on the General Register as Amended
- Read for the Second Time
- 03/29/2018 Calendar for the Day
- Read for the Third Time
- Passed by the House and transmitted to the Senate
- 05/18/2018 Returned to the House as Amended by the Senate
- Refused to concur and a Conference Committee was appointed

1.1 A bill for an act

1.2 relating to liquor; clarifying provisions relating to brewing and winemaking on

1.3 premises; modifying off-sale hours; authorizing licenses; amending Minnesota

1.4 Statutes 2016, sections 340A.33; 340A.34; Minnesota Statutes 2017 Supplement,

1.5 section 340A.504, subdivision 4.

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

1.7 Section 1. Minnesota Statutes 2016, section 340A.33, is amended to read:

1.8 **340A.33 BREW ON PREMISES STORE.**

1.9 Notwithstanding anything in this chapter, the owner of a brew on premises store shall

1.10 not be considered a brewer, manufacturer, wholesaler, or retailer of intoxicating liquor if

1.11 the owner complies with this section and with Code of Federal Regulations, title 27, part

1.12 25, subpart L, sections 25.205 and 25.206. For purposes of this section, a brew on premises

1.13 store is a facility that provides the ingredients and equipment for a customer to use to brew

1.14 malt liquor at the store. Alcoholic beverages may not be sold or otherwise provided to

1.15 customers of a brew on premises store, unless the owner of the brew on premises store holds

1.16 the appropriate liquor license-, except that the tasting of malt liquor that is brewed by a

1.17 customer or employee at the brew on premises store shall be permitted, if the malt liquor

1.18 is not sold or offered for sale and is provided on the premises of the brew on premises store.

1.19 Customers using the brew on premises store must be of the minimum age required to purchase

1.20 intoxicating liquor. Malt liquor brewed by a customer in the store must not be sold and must

1.21 be used by the customer solely for personal or family use.

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

2.1 Sec. 2. Minnesota Statutes 2016, section 340A.34, is amended to read:

2.2 **340A.34 WINEMAKING ON PREMISES STORE.**

2.3 A commercial establishment in which individuals make wine on the premises for personal
2.4 and family use only and not for resale, using ingredients or materials or both supplied by
2.5 the establishment, is not required to be licensed under this chapter if the establishment is
2.6 operated in accordance with Code of Federal Regulations, title 27, section 24.75. No person
2.7 under the age of 21 years may participate in the making of wine in such an establishment.
2.8 Alcoholic beverages may not be sold or otherwise provided to customers of an establishment
2.9 described in this section unless the establishment holds the appropriate license for such sale
2.10 or provision-, except that the tasting of wine that is made by a customer or employee at the
2.11 winemaking on premises store shall be permitted, if the wine is not sold or offered for sale
2.12 and is provided on the premises of the winemaking on premises store.

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

2.14 Sec. 3. Minnesota Statutes 2017 Supplement, section 340A.504, subdivision 4, is amended
2.15 to read:

2.16 Subd. 4. **Intoxicating liquor; off-sale.** (a) No sale of intoxicating liquor may be made
2.17 by an off-sale licensee:

2.18 (1) on Sundays, except between the hours of ~~11:00~~ 10:00 a.m. and 6:00 p.m.;

2.19 (2) before 8:00 a.m. or after 10:00 p.m. on Monday through Saturday;

2.20 (3) on Thanksgiving Day;

2.21 (4) on Christmas Day, December 25; or

2.22 (5) after 8:00 p.m. on Christmas Eve, December 24.

2.23 (b) No delivery of alcohol to an off-sale licensee may be made by a wholesaler or accepted
2.24 by an off-sale licensee on a Sunday. No order solicitation or merchandising may be made
2.25 by a wholesaler on a Sunday.

2.26 (c) In the event that Christmas Eve or New Year's Eve falls on a Sunday, Sunday off-sale
2.27 hours are extended to 8:00 p.m.

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

3.1 Sec. 4. **OFF-SALE INTOXICATING LIQUOR LICENSE; HUBBARD COUNTY.**

3.2 Notwithstanding Minnesota Statutes, section 340A.405, subdivision 2, paragraph (e),
3.3 the Hubbard County Board may issue an off-sale intoxicating liquor license to an exclusive
3.4 liquor store located in Akeley Township. All other provisions of Minnesota Statutes, chapter
3.5 340A, not inconsistent with this section, apply to the license authorized under this section.

3.6 **EFFECTIVE DATE.** This section is effective upon approval by the Hubbard County
3.7 Board of Commissioners and compliance with Minnesota Statutes, section 645.021.

3.8 Sec. 5. **SPECIAL LICENSE; CITY OF NORTH MANKATO.**

3.9 The city of North Mankato may issue an on-sale intoxicating liquor license, an on-sale
3.10 wine license, or an on-sale malt liquor license for the city-owned facilities known as or
3.11 operated by the Caswell Regional Sporting Complex, notwithstanding any law, local
3.12 ordinance, or charter provision. A license issued under this section authorizes sales on all
3.13 days of the week to persons attending events at the Caswell Regional Sporting Complex.

3.14 **EFFECTIVE DATE.** This section is effective upon approval by the North Mankato
3.15 City Council and compliance with Minnesota Statutes, section 645.021.

3.16 Sec. 6. **CITY OF MINNEAPOLIS; SPECIAL LICENSE.**

3.17 The city of Minneapolis may issue an on-sale intoxicating liquor license to a restaurant
3.18 located at 5400 Penn Avenue South, notwithstanding any law, local ordinance, or charter
3.19 provision.

3.20 **EFFECTIVE DATE.** This section is effective upon approval by the Minneapolis City
3.21 Council and compliance with Minnesota Statutes, section 645.021.

3.22 Sec. 7. **CITY OF MINNEAPOLIS; SPECIAL LICENSE.**

3.23 The city of Minneapolis may issue an on-sale intoxicating liquor license to a restaurant
3.24 located at 4959 Penn Avenue South, notwithstanding any law, local ordinance, or charter
3.25 provision.

3.26 **EFFECTIVE DATE.** This section is effective upon approval by the Minneapolis City
3.27 Council and compliance with Minnesota Statutes, section 645.021.

3.28 Sec. 8. **CITY OF EDINA; SPECIAL LICENSE.**

3.29 The city of Edina may issue an on-sale intoxicating liquor license to a retailer located
3.30 at 6801 France Avenue South, or to an entity holding a concessions or catering contract

4.1 with the retailer, for use on the premises of the retailer, notwithstanding any law or local
4.2 ordinance to the contrary. The license authorized by this section may be issued for space
4.3 that is not compact and contiguous, provided that all such space is included in the description
4.4 of the licensed premises on the approved license application. The license authorizes sales
4.5 on all days of the week.

4.6 **EFFECTIVE DATE.** This section is effective upon approval by the Edina City Council
4.7 and compliance with Minnesota Statutes, section 645.021.

4.8 **Sec. 9. CITY OF MINNEAPOLIS; SPECIAL LICENSE.**

4.9 The city of Minneapolis may issue an on-sale intoxicating liquor license to a business
4.10 located at 3753 Nicollet Avenue South, notwithstanding any law, local ordinance, or charter
4.11 provision.

4.12 **EFFECTIVE DATE.** This section is effective upon approval by the Minneapolis City
4.13 Council and compliance with Minnesota Statutes, section 645.021.