

State of Minnesota

HOUSE OF REPRESENTATIVES

EIGHTY-EIGHTH SESSION

H. F. No. 2610

03/03/2014 Authored by Hoppe

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; modifying regulations relating to sampling of malt liquor;
1.3 amending Minnesota Statutes 2012, section 340A.510, subdivision 2.
1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.5 Section 1. Minnesota Statutes 2012, section 340A.510, subdivision 2, is amended to
1.6 read:

1.7 Subd. 2. **Malt liquor samples authorized.** (a) Notwithstanding section 340A.308,
1.8 a brewer may purchase from or furnish at no cost to a licensed retailer malt liquor the
1.9 brewer manufactures if:

1.10 (1) the malt liquor is dispensed by the retailer only for samples in a quantity of less
1.11 than 100 milliliters of malt liquor per variety per customer;

1.12 (2) where the brewer furnishes the malt liquor, the retailer makes available for return
1.13 to the brewer any unused malt liquor and empty containers;

1.14 (3) the samples are dispensed by an employee of the retailer or brewer or by a
1.15 sampling service retained by the retailer or brewer and not affiliated directly or indirectly
1.16 with a malt liquor wholesaler;

1.17 (4) not more than three cases of malt liquor are purchased from or furnished to the
1.18 retailer by the brewer for each sampling;

1.19 (5) each sampling continues for not more than eight hours;

1.20 (6) the brewer has furnished malt liquor for not more than ~~five~~ 12 samplings for
1.21 any retailer in any calendar year;

1.22 (7) where the brewer furnishes the malt liquor, the brewer delivers the malt liquor
1.23 for the sampling to its exclusive wholesaler for that malt liquor;

(8) the brewer has at least seven days before the sampling filed with the commissioner, on a form the commissioner prescribes, written notice of intent to furnish malt liquor for the sampling, which contains (i) the name and address of the retailer conducting the sampling, (ii) the maximum amount of malt liquor to be furnished or purchased by the brewer, (iii) the number of times the brewer has furnished malt liquor to the retailer in the calendar year in which the notice is filed, (iv) the date and time of the sampling, (v) where the brewer furnishes the malt liquor, the exclusive wholesaler to whom the brewer will deliver the malt liquor, and (vi) a statement by the brewer to the effect that to the brewer's knowledge all requirements of this section have been or will be complied with; and

(9) the commissioner has not notified the brewer filing the notice under clause (8) that the commissioner disapproves the notice.

(b) For purposes of this subdivision, "licensed retailer" means a licensed on-sale or off-sale retailer of alcoholic beverages and a municipal liquor store.

Sec. 2. **EFFECTIVE DATE.**

Section 1 is effective the day following final enactment.