

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

S.F. No. 1854

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DATE
02/28/2019

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Introduction and first reading
Referred to Commerce and Consumer Protection Finance and Policy

OFFICIAL STATUS

1.1 A bill for an act
1.2 relating to liquor; permitting brew pubs to produce hard cider; amending Minnesota
1.3 Statutes 2018, sections 340A.101, subdivision 3a, by adding a subdivision; 340A.24,
1.4 subdivision 2, by adding a subdivision.

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

1.6 Section 1. Minnesota Statutes 2018, section 340A.101, subdivision 3a, is amended to read:

1.7 Subd. 3a. **Brew pub.** "Brew pub" is a brewer who also holds one or more retail on-sale
1.8 licenses and who manufactures fewer than 3,500 barrels of malt liquor or hard cider in a
1.9 year, at any one licensed premises, the entire production of which is solely for consumption
1.10 on tap on any licensed premises owned by the brewer, or for off-sale from those licensed
1.11 premises as permitted in section 340A.24, subdivision 2.

1.12 Sec. 2. Minnesota Statutes 2018, section 340A.101, is amended by adding a subdivision
1.13 to read:

1.14 Subd. 12b. **Hard cider.** "Hard cider" means a beverage that may contain carbonation
1.15 and flavors, produced through alcoholic fermentation of fruit or fruit juice but not less than
1.16 51 percent apples or apple juice, consisting of at least one-half percent but not greater than
1.17 seven percent alcohol by volume and sold or offered for sale as hard cider and not as a wine,
1.18 wine product, or substitute for wine in bottles, cases, kegs, cans, or other suitable containers
1.19 of the type used for the sale of malt liquor in this state.

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

2.1 Sec. 3. Minnesota Statutes 2018, section 340A.24, subdivision 2, is amended to read:

2.2 Subd. 2. **Off-sale license.** Notwithstanding section 340A.405, a brew pub that holds an
2.3 on-sale license issued pursuant to this section may, with the approval of the commissioner,
2.4 be issued a license by a municipality for off-sale of malt liquor or hard cider produced and
2.5 packaged on the licensed premises. Off-sale of malt liquor or hard cider shall be limited to
2.6 the legal hours for off-sale at exclusive liquor stores in the jurisdiction in which the brew
2.7 pub is located, and the malt liquor or hard cider sold off-sale must be removed from the
2.8 premises before the applicable off-sale closing time at exclusive liquor stores, except that
2.9 malt liquor or hard cider in growlers only may be sold at off-sale on Sundays. Sunday sales
2.10 must be approved by the licensing jurisdiction and hours may be established by those
2.11 jurisdictions. Packaging of malt liquor or hard cider for off-sale under this subdivision must
2.12 comply with section 340A.285.

2.13 Sec. 4. Minnesota Statutes 2018, section 340A.24, is amended by adding a subdivision to
2.14 read:

2.15 Subd. 6. **Hard cider.** A brew pub may without an additional license produce hard cider
2.16 on the licensed premises and may sell at on-sale or off-sale hard cider made on the licensed
2.17 premises in a manner consistent with subdivisions 1 and 2.