

HOUSE OF REPRESENTATIVES

EIGHTY-EIGHTH SESSION

H. F. No. 2720

03/06/2014 Authored by Atkins and Hoppe

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

03/24/2014 Adoption of Report: Amended and Placed on the General Register
Read Second Time

1.1 A bill for an act
 1.2 relating to liquor; providing for sales, storage, and other regulations of liquor;
 1.3 authorizing, modifying, and establishing licenses; amending Minnesota Statutes
 1.4 2012, sections 340A.101, by adding subdivisions; 340A.315, subdivision 2,
 1.5 by adding subdivisions; 340A.316; 340A.404, subdivisions 2, 5; 340A.415;
 1.6 340A.508, by adding a subdivision; 340A.510, subdivision 2; Minnesota Statutes
 1.7 2013 Supplement, section 340A.301, subdivisions 6c, 6d, 7; proposing coding
 1.8 for new law in Minnesota Statutes, chapter 340A; repealing Laws 2012, chapter
 1.9 235, section 11.

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

1.11 Section 1. Minnesota Statutes 2012, section 340A.101, is amended by adding a
 1.12 subdivision to read:

1.13 Subd. 4a. **Bulk distilled spirits.** "Bulk distilled spirits" means distilled spirits in a
 1.14 container having a capacity in excess of one gallon.

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

1.16 Sec. 2. Minnesota Statutes 2012, section 340A.101, is amended by adding a
 1.17 subdivision to read:

1.18 Subd. 4b. **Bulk wine.** "Bulk wine" means wine in a container having a capacity
 1.19 of five or more gallons.

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

1.21 Sec. 3. **[340A.22] MICRODISTILLERIES.**

1.22 Subdivision 1. **Activities.** (a) A microdistillery licensed under section 340A.301,
 1.23 subdivision 6c, may provide on its premises samples of distilled spirits manufactured on

2.1 its premises, in an amount not to exceed 15 milliliters per variety per person. No more
 2.2 than 45 milliliters may be sampled under this paragraph by any person on any day.

2.3 (b) A microdistillery can sell cocktails to the public, pursuant to subdivision 2.

2.4 Subd. 2. **Cocktail room license.** (a) A municipality, including a city with a
 2.5 municipal liquor store, may issue the holder of a microdistillery license under section
 2.6 340A.301, subdivision 6c, a microdistillery cocktail room license. A microdistillery
 2.7 cocktail room license authorizes on-sale of distilled liquor produced by the distiller for
 2.8 consumption on the premises of or adjacent to one distillery location owned by the
 2.9 distiller. Nothing in this subdivision precludes the holder of a microdistillery cocktail
 2.10 room license from also holding a license to operate a restaurant at the distillery. Section
 2.11 340A.409 shall apply to a license issued under this subdivision. All provisions of this
 2.12 chapter that apply to a retail liquor license shall apply to a license issued under this
 2.13 subdivision unless the provision is explicitly inconsistent with this subdivision.

2.14 (b) A distiller may only have one cocktail room license under this subdivision,
 2.15 and may not have an ownership interest in a distillery licensed under section 340A.301,
 2.16 subdivision 6, paragraph (a). No entity may simultaneously hold a license under section
 2.17 340A.301, subdivision 6b, and a license under section 340A.301, subdivision 6c. No
 2.18 location may house both licenses.

2.19 (c) The municipality shall impose a licensing fee on a distiller holding a
 2.20 microdistillery cocktail room license under this subdivision, subject to limitations
 2.21 applicable to license fees under section 340A.408, subdivision 2, paragraph (a).

2.22 (d) A municipality shall, within ten days of the issuance of a license under this
 2.23 subdivision, inform the commissioner of the licensee's name and address and trade name,
 2.24 and the effective date and expiration date of the license. The municipality shall also
 2.25 inform the commissioner of a license transfer, cancellation, suspension, or revocation
 2.26 during the license period.

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

2.28 Sec. 4. Minnesota Statutes 2013 Supplement, section 340A.301, subdivision 6c,
 2.29 is amended to read:

2.30 Subd. 6c. **Microdistilleries.** (a) A microdistillery may provide on its premises
 2.31 samples of distilled spirits manufactured on its premises, in an amount not to exceed 15
 2.32 milliliters per variety per person. No more than 45 milliliters may be sampled under
 2.33 this paragraph by any person on any day.

2.34 (b) The commissioner shall establish a fee for licensing microdistilleries that
 2.35 adequately covers the cost of issuing the license and other inspection requirements. The

3.1 fees shall be deposited in an account in the special revenue fund and are appropriated to
3.2 the commissioner for the purposes of this subdivision.

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

3.4 Sec. 5. Minnesota Statutes 2013 Supplement, section 340A.301, subdivision 6d,
3.5 is amended to read:

3.6 Subd. 6d. **Small brewer license.** (a) A brewer licensed under subdivision 6, clause
3.7 (c), (i), or (j), may be issued a license by a municipality for off-sale of malt liquor at its
3.8 licensed premises that has been produced and packaged by the brewer. The license must
3.9 be approved by the commissioner. The amount of malt liquor sold at off-sale may not
3.10 exceed 500 barrels annually. Off-sale of malt liquor shall be limited to the legal hours for
3.11 off-sale at exclusive liquor stores in the jurisdiction in which the brewer is located, and the
3.12 malt liquor sold off-sale must be removed from the premises before the applicable off-sale
3.13 closing time at exclusive liquor stores, except that growlers may be sold by a small brewer
3.14 on Sundays. Sunday sales must be approved by the licensing jurisdiction, and hours may be
3.15 established by those jurisdictions. The malt liquor shall be packed in 64-ounce containers
3.16 commonly known as "growlers" or in 750 milliliter bottles. The containers or bottles shall
3.17 bear a twist-type closure, cork, stopper, or plug. At the time of the sale, a paper or plastic
3.18 adhesive band, strip, or sleeve shall be applied to the container or bottle and extended over
3.19 the top of the twist-type closure, cork, stopper, or plug forming a seal that must be broken
3.20 upon opening of the container or bottle. The adhesive band, strip, or sleeve shall bear the
3.21 name and address of the brewer. The containers or bottles shall be identified as malt
3.22 liquor, contain the name of the malt liquor, bear the name and address of the brewer selling
3.23 the malt liquor, and shall be considered intoxicating liquor unless the alcoholic content is
3.24 labeled as otherwise in accordance with the provisions of Minnesota Rules, part 7515.1100.

3.25 (b) A brewer may only have one license under this subdivision.

3.26 (c) A municipality may not issue a license under this subdivision to a brewer if the
3.27 brewer seeking the license, or any person having an economic interest in the brewer
3.28 seeking the license or exercising control over the brewer seeking the license, is a brewer
3.29 that brews more than 20,000 barrels of its own brands of malt liquor annually or a winery
3.30 that produces more than 250,000 gallons of wine annually.

3.31 (d) The municipality shall impose a licensing fee on a brewer holding a license
3.32 under this subdivision, subject to limitations applicable to license fees under section
3.33 340A.408, subdivision 3, paragraph (a).

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

4.1 Sec. 6. Minnesota Statutes 2013 Supplement, section 340A.301, subdivision 7, is
4.2 amended to read:

4.3 Subd. 7. **Interest in other business.** (a) Except as provided in this subdivision,
4.4 a holder of a license as a manufacturer, brewer, importer, or wholesaler may not have
4.5 any ownership, in whole or in part, in a business holding a retail intoxicating liquor or
4.6 3.2 percent malt liquor license. The commissioner may not issue a license under this
4.7 section to a manufacturer, brewer, importer, or wholesaler if a retailer of intoxicating
4.8 liquor has a direct or indirect interest in the manufacturer, brewer, importer, or wholesaler.
4.9 A manufacturer or wholesaler of intoxicating liquor may use or have property rented
4.10 for retail intoxicating liquor sales only if the manufacturer or wholesaler has owned the
4.11 property continuously since November 1, 1933. A retailer of intoxicating liquor may not
4.12 use or have property rented for the manufacture or wholesaling of intoxicating liquor.

4.13 (b) A brewer licensed under subdivision 6, clause (d), may be issued an on-sale
4.14 intoxicating liquor or 3.2 percent malt liquor license by a municipality for a restaurant
4.15 operated in the place of manufacture. Notwithstanding section 340A.405, a brewer who
4.16 holds an on-sale license issued pursuant to this paragraph may, with the approval of the
4.17 commissioner, be issued a license by a municipality for off-sale of malt liquor produced
4.18 and packaged on the licensed premises. Off-sale of malt liquor shall be limited to the
4.19 legal hours for off-sale at exclusive liquor stores in the jurisdiction in which the brewer
4.20 is located, and the malt liquor sold off-sale must be removed from the premises before
4.21 the applicable off-sale closing time at exclusive liquor stores, except that growlers may
4.22 be sold by a brewer licensed under this paragraph on Sundays. Sunday sales must be
4.23 approved by the licensing jurisdiction, and hours may be established by these jurisdictions.
4.24 The malt liquor shall be packaged in 64-ounce containers commonly known as "growlers"
4.25 or in 750 milliliter bottles. The containers or bottles shall bear a twist-type closure,
4.26 cork, stopper, or plug. At the time of the sale, a paper or plastic adhesive band, strip, or
4.27 sleeve shall be applied to the container or bottle and extend over the top of the twist-type
4.28 closure, cork, stopper, or plug forming a seal that must be broken upon opening of the
4.29 container or bottle. The adhesive band, strip, or sleeve shall bear the name and address of
4.30 the brewer. The containers or bottles shall be identified as malt liquor, contain the name
4.31 of the malt liquor, bear the name and address of the brewer selling the malt liquor, and
4.32 shall be considered intoxicating liquor unless the alcoholic content is labeled as otherwise
4.33 in accordance with the provisions of Minnesota Rules, part 7515.1100. A brewer's total
4.34 retail sales at on- or off-sale under this paragraph may not exceed 3,500 barrels per year,
4.35 provided that off-sales may not total more than 500 barrels. A brewer licensed under
4.36 subdivision 6, clause (d), may hold or have an interest in other retail on-sale licenses, but

5.1 may not have an ownership interest in whole or in part, or be an officer, director, agent, or
5.2 employee of, any other manufacturer, brewer, importer, or wholesaler, or be an affiliate
5.3 thereof whether the affiliation is corporate or by management, direction, or control.

5.4 Notwithstanding this prohibition, a brewer licensed under subdivision 6, clause (d), may
5.5 be an affiliate or subsidiary company of a brewer licensed in Minnesota or elsewhere if
5.6 that brewer's only manufacture of malt liquor is:

5.7 (i) manufacture licensed under subdivision 6, clause (d);

5.8 (ii) manufacture in another state for consumption exclusively in a restaurant located
5.9 in the place of manufacture; or

5.10 (iii) manufacture in another state for consumption primarily in a restaurant located
5.11 in or immediately adjacent to the place of manufacture if the brewer was licensed under
5.12 subdivision 6, clause (d), on January 1, 1995.

5.13 (c) Except as provided in subdivision 7a, no brewer as defined in subdivision 7a or
5.14 importer may have any interest, in whole or in part, directly or indirectly, in the license,
5.15 business, assets, or corporate stock of a licensed malt liquor wholesaler.

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

5.17 Sec. 7. Minnesota Statutes 2012, section 340A.315, subdivision 2, is amended to read:

5.18 Subd. 2. **Sales.** A license authorizes the sale, on the farm winery premises, of table,
5.19 sparkling, or fortified wines produced by that farm winery at on-sale or off-sale, in retail, or
5.20 wholesale lots in total quantities not in excess of ~~50,000~~ 65,000 gallons in a calendar year,
5.21 glassware, wine literature and accessories, cheese and cheese spreads, other wine-related
5.22 food items, and the dispensing of free samples of the wines offered for sale. Sales at on-sale
5.23 and off-sale may be made on Sundays between 10:00 a.m. and 12:00 midnight. Labels for
5.24 each type or brand produced must be registered with the commissioner, without fee prior
5.25 to sale. A farm winery may provide samples of distilled spirits manufactured pursuant to
5.26 subdivision 7, on the farm winery premises, but may sell the distilled spirits only through a
5.27 licensed wholesaler. Samples of distilled spirits may not exceed 15 milliliters per variety.

5.28 **EFFECTIVE DATE.** This section is effective July 1, 2014.

5.29 Sec. 8. Minnesota Statutes 2012, section 340A.315, is amended by adding a
5.30 subdivision to read:

5.31 **Subd. 10. Storage.** A farm winery may store finished wine and distilled spirits in
5.32 a noncontiguous warehouse location, provided that this location is owned and managed
5.33 by the farm winery and the location of such warehouses is disclosed on an ongoing

6.1 basis to the commissioner, and further provided that the chosen location meets any state
6.2 or federal requirements.

6.3 **EFFECTIVE DATE.** This section is effective July 1, 2014.

6.4 Sec. 9. Minnesota Statutes 2012, section 340A.315, is amended by adding a
6.5 subdivision to read:

6.6 Subd. 11. **Bulk wine or distilled spirits.** If no wholesaler is able to provide wine or
6.7 distilled spirits in bulk form, a farm winery may purchase either wine or distilled spirits
6.8 in bulk form for purposes allowed under this chapter from any available source allowed
6.9 under federal law.

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

6.11 Sec. 10. Minnesota Statutes 2012, section 340A.316, is amended to read:

6.12 **340A.316 SACRAMENTAL WINE.**

6.13 The commissioner may issue licenses to bona fide religious book or supply stores
6.14 for the importation and sale of wine exclusively for sacramental purposes. The holder of a
6.15 sacramental wine license may sell wine intended by the manufacturer or the wholesaler for
6.16 sacramental purposes only to a rabbi, priest, or minister of a church, or other established
6.17 religious organization, if the purchaser certifies in writing that the wine will be used
6.18 exclusively for sacramental purposes in religious ceremonies. The annual fee for a
6.19 sacramental wine license is \$50, inclusive of a retail card required under Minnesota Rules,
6.20 part 7515.0210. A seller of sacramental wine does not need insurance required under
6.21 section 340A.409, unless annual sales exceed \$100,000 in the immediate prior year. A
6.22 rabbi, priest, or minister of a church or other established religious organization may import
6.23 wine exclusively for sacramental purposes without a license.

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

6.25 Sec. 11. Minnesota Statutes 2012, section 340A.404, subdivision 2, is amended to read:

6.26 **Subd. 2. Special provision; city of Minneapolis.** (a) The city of Minneapolis may
6.27 issue an on-sale intoxicating liquor license to the Guthrie Theater, the Cricket Theatre, the
6.28 Orpheum Theatre, the State Theatre, and the Historic Pantages Theatre, notwithstanding
6.29 the limitations of law, or local ordinance, or charter provision relating to zoning or school
6.30 or church distances. The licenses authorize sales on all days of the week to holders

7.1 of tickets for performances presented by the theaters and to members of the nonprofit
7.2 corporations holding the licenses and to their guests.

7.3 (b) The city of Minneapolis may issue an intoxicating liquor license to 510
7.4 Groveland Associates, a Minnesota cooperative, for use by a restaurant on the premises
7.5 owned by 510 Groveland Associates, notwithstanding limitations of law, or local
7.6 ordinance, or charter provision.

7.7 (c) The city of Minneapolis may issue an on-sale intoxicating liquor license to
7.8 Zuhrah Shrine Temple for use on the premises owned by Zuhrah Shrine Temple at 2540
7.9 Park Avenue South in Minneapolis, ~~and to the American Swedish Institute for use on~~
7.10 ~~the premises owned by the American Swedish Institute at 2600 Park Avenue South,~~
7.11 notwithstanding limitations of law, or local ordinances, or charter provision relating to
7.12 zoning or school or church distances.

7.13 (d) The city of Minneapolis may issue an on-sale intoxicating liquor license to
7.14 the American Association of University Women, Minneapolis branch, for use on the
7.15 premises owned by the American Association of University Women, Minneapolis branch,
7.16 at 2115 Stevens Avenue South in Minneapolis, notwithstanding limitations of law, or local
7.17 ordinances, or charter provisions relating to zoning or school or church distances.

7.18 (e) The city of Minneapolis may issue an on-sale wine license and an on-sale 3.2
7.19 percent malt liquor license to a restaurant located at 5000 Penn Avenue South, and an
7.20 on-sale wine license and an on-sale malt liquor license to a restaurant located at 1931
7.21 Nicollet Avenue South, notwithstanding any law or local ordinance or charter provision.

7.22 (f) The city of Minneapolis may issue an on-sale wine license and an on-sale malt
7.23 liquor license to the Brave New Workshop Theatre located at 3001 Hennepin Avenue
7.24 South, the Theatre de la Jeune Lune, the Illusion Theatre located at 528 Hennepin Avenue
7.25 South, the Hollywood Theatre located at 2815 Johnson Street Northeast, the Loring
7.26 Playhouse located at 1633 Hennepin Avenue South, the Jungle Theater located at 2951
7.27 Lyndale Avenue South, Brave New Institute located at 2605 Hennepin Avenue South,
7.28 the Guthrie Lab located at 700 North First Street, and the Southern Theatre located at
7.29 1420 Washington Avenue South, notwithstanding any law or local ordinance or charter
7.30 provision. The license authorizes sales on all days of the week.

7.31 (g) The city of Minneapolis may issue an on-sale intoxicating liquor license to
7.32 University Gateway Corporation, a Minnesota nonprofit corporation, for use by a restaurant
7.33 or catering operator at the building owned and operated by the University Gateway
7.34 Corporation on the University of Minnesota campus, notwithstanding limitations of law, or
7.35 local ordinance or charter provision. The license authorizes sales on all days of the week.

8.1 (h) The city of Minneapolis may issue an on-sale intoxicating liquor license to the
8.2 Walker Art Center's concessionaire or operator, for a restaurant and catering operator
8.3 on the premises of the Walker Art Center, notwithstanding limitations of law, or local
8.4 ordinance or charter provisions. The license authorizes sales on all days of the week.

8.5 (i) The city of Minneapolis may issue an on-sale intoxicating liquor license to the
8.6 Guthrie Theater's concessionaire or operator for a restaurant and catering operator on the
8.7 premises of the Guthrie Theater, notwithstanding limitations of law, local ordinance, or
8.8 charter provisions. The license authorizes sales on all days of the week.

8.9 (j) The city of Minneapolis may issue an on-sale wine license and an on-sale malt
8.10 liquor license to the Minnesota Book and Literary Arts Building, Inc.'s concessionaire or
8.11 operator for a restaurant and catering operator on the premises of the Minnesota Book and
8.12 Literary Arts Building, Inc. (dba Open Book), notwithstanding limitations of law, or local
8.13 ordinance or charter provision. The license authorizes sales on all days of the week.

8.14 (k) The city of Minneapolis may issue an on-sale intoxicating liquor license to a
8.15 restaurant located at 5411 Penn Avenue South, notwithstanding any law or local ordinance
8.16 or charter provision.

8.17 (l) The city of Minneapolis may issue an on-sale intoxicating liquor license to the
8.18 Museum of Russian Art's concessionaire or operator for a restaurant and catering operator
8.19 on the premises of the Museum of Russian Art located at 5500 Stevens Avenue South,
8.20 notwithstanding any law or local ordinance or charter provision.

8.21 (m) The city of Minneapolis may issue an on-sale intoxicating liquor license to the
8.22 American Swedish Institute or to its concessionaire or operator for use on the premises
8.23 owned by the American Swedish Institute at 2600 Park Avenue South, notwithstanding
8.24 limitations of law, local ordinance, or charter provision relating to zoning or school or
8.25 church distances.

8.26 (n) Notwithstanding any other law, local ordinance, or charter provision, the
8.27 city of Minneapolis may issue one or more on-sale intoxicating liquor licenses to the
8.28 Minneapolis Society of Fine Arts (dba Minneapolis Institute of Arts), or to an entity
8.29 holding a concessions or catering contract with the Minneapolis Institute of Arts for use
8.30 on the premises of the Minneapolis Institute of Arts. The licenses authorized by this
8.31 subdivision may be issued for space that is not compact and contiguous, provided that all
8.32 such space is included in the description of the licensed premises on the approved license
8.33 application. The licenses authorize sales on all days of the week.

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

9.1 Sec. 12. Minnesota Statutes 2012, section 340A.404, subdivision 5, is amended to read:

9.2 Subd. 5. **Wine licenses.** (a) A municipality may issue an on-sale wine license with
9.3 the approval of the commissioner to a restaurant having facilities for seating at least
9.4 25 guests at one time. A wine license permits the sale of wine of up to ~~14~~ 24 percent
9.5 alcohol by volume for consumption ~~with the sale of food~~. A wine license authorizes the
9.6 sale of wine on all days of the week unless the issuing authority restricts the license's
9.7 authorization to the sale of wine on all days except Sundays.

9.8 (b) The governing body of a municipality may by ordinance authorize a holder of
9.9 an on-sale wine license issued pursuant to paragraph (a) who is also licensed to sell 3.2
9.10 percent malt liquors at on-sale pursuant to section 340A.411, ~~and whose gross receipts~~
9.11 ~~are at least 60 percent attributable to the sale of food~~, to sell intoxicating malt liquors
9.12 at on-sale without an additional license.

9.13 (c) A municipality may issue an on-sale wine license with the approval of the
9.14 commissioner to a licensed bed and breakfast facility. A license under this paragraph
9.15 authorizes a bed and breakfast facility to furnish wine only to registered guests of the
9.16 facility and, if the facility contains a licensed commercial kitchen, also to guests attending
9.17 private events at the facility.

9.18 (d) The State Agricultural Society may issue an on-sale wine license to the holder of
9.19 a state fair concession contract pursuant to section 37.21, subdivision 2.

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

9.21 Sec. 13. Minnesota Statutes 2012, section 340A.415, is amended to read:

9.22 **340A.415 LICENSE REVOCATION OR SUSPENSION; CIVIL PENALTY.**

9.23 On a finding that the license or permit holder has (1) sold alcoholic beverages to
9.24 another retail licensee for the purpose of resale, (2) purchased alcoholic beverages from
9.25 another retail licensee for the purpose of resale, (3) conducted or permitted the conduct
9.26 of gambling on the licensed premises in violation of the law, (4) failed to remove or
9.27 dispose of alcoholic beverages when ordered by the commissioner to do so under section
9.28 340A.508, subdivision 3, or (5) failed to comply with an applicable statute, rule, or
9.29 ordinance relating to alcoholic beverages, or the operation of the licensed establishment,
9.30 or failed to comply with a lawful license condition duly imposed by the authority issuing
9.31 the license or permit or agreed to by the license or permit holder, the commissioner or the
9.32 authority issuing a retail license or permit under this chapter may revoke the license or
9.33 permit, suspend the license or permit for up to 60 days, impose a civil penalty of up to
9.34 \$2,000 for each violation, or impose any combination of these sanctions. No suspension

10.1 or revocation takes effect until the license or permit holder has been given an opportunity
10.2 for a hearing under sections 14.57 to 14.69 of the Administrative Procedure Act. This
10.3 section does not require a political subdivision to conduct the hearing before an employee
10.4 of the Office of Administrative Hearings. Imposition of a penalty or suspension by either
10.5 the issuing authority or the commissioner does not preclude imposition of an additional
10.6 penalty or suspension by the other so long as the total penalty or suspension does not
10.7 exceed the stated maximum. Nothing in this section shall be construed to limit the
10.8 applicability of section 340A.509, except that a local authority may not charge a penalty
10.9 greater than that allowed in this section.

10.10 Sec. 14. Minnesota Statutes 2012, section 340A.508, is amended by adding a
10.11 subdivision to read:

10.12 Subd. 5. **Mixed drinks or cocktails.** Mixed drinks or cocktails mixed on the
10.13 premises that are not for immediate consumption may be consumed on the licensed
10.14 premises subject to the requirements of this subdivision. For purposes of this subdivision, a
10.15 "mixed drink" includes but is not limited to distilled spirits infused with other ingredients,
10.16 or other mixed drinks commonly referred to as cocktails. This subdivision requires that:

10.17 (1) the mixed drinks or cocktails be stored, for no longer than 72 hours, in a labeled
10.18 container in a quantity that does not exceed five gallons;

10.19 (2) infused beverages may be stored in containers in a quantity not to exceed five
10.20 gallons;

10.21 (3) added flavors and other nonbeverage ingredients included in the mixed drinks
10.22 or cocktails shall not include hallucinogenic substances or added pure or supplemental
10.23 caffeine or other added stimulants including but not limited to guarana, ginseng, and
10.24 taurine; and

10.25 (4) the licensee keep records as to when the contents in a particular container were
10.26 mixed and the recipe, including brand names, used for that mixture.

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

10.28 Sec. 15. Minnesota Statutes 2012, section 340A.510, subdivision 2, is amended to read:

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

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

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

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

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

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

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

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

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

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

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

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

11.27 Sec. 16. **CITY OF RICHFIELD; ON-SALE LICENSE.**

11.28 Notwithstanding any law or ordinance to the contrary, in addition to the number of
11.29 licenses authorized, the city of Richfield may issue an on-sale wine license and an on-sale
11.30 malt liquor license to a person who is the owner of a professional junior hockey league
11.31 team or to a person holding a concessions or management contract with the city or the
11.32 team owner, for beverage sales at the Richfield Ice Arena. A license issued under this
11.33 section authorizes sales on all days of the week to persons attending professional junior
11.34 hockey league games at the arena for consumption on the premises.

12.1 **EFFECTIVE DATE.** This section is effective upon timely compliance by the
12.2 governing body of the city of Richfield and its chief clerical officer with Minnesota
12.3 Statutes, section 645.021, subdivisions 2 and 3.

12.4 Sec. 17. **CITY OF GOLDEN VALLEY; ON-SALE LICENSE.**

12.5 Notwithstanding any law or ordinance to the contrary, the city of Golden Valley may
12.6 issue an on-sale license to a golf course and community center that is located at 200
12.7 Brookview Parkway and is owned by the city.

12.8 **EFFECTIVE DATE.** This section is effective upon approval by the Golden Valley
12.9 City Council and compliance with Minnesota Statutes, section 645.021.

12.10 Sec. 18. **CITY OF BROOKLYN PARK; ON-SALE LICENSE.**

12.11 Notwithstanding any law or ordinance to the contrary, the city of Brooklyn Park
12.12 may issue an on-sale intoxicating liquor license to a wedding event center located at 9500
12.13 West River Road North.

12.14 **EFFECTIVE DATE.** This section is effective upon compliance with Minnesota
12.15 Statutes, section 645.021.

12.16 Sec. 19. **SPECIAL CLOSING TIMES; 2014 ALL-STAR GAME.**

12.17 During the 2014 Major League Baseball All-Star Game at Target Field, licensing
12.18 jurisdictions that lie fully or partially within Hennepin County may at their discretion issue
12.19 special permits for service of alcohol through extended hours lasting until 4:00 a.m. each
12.20 day. This section is subject to the following conditions:

12.21 (1) only holders of an existing on-sale intoxicating liquor license or a 3.2 malt liquor
12.22 license are eligible for later closing hours;

12.23 (2) later closing hours apply only during the period from 12:00 a.m. on July 15,
12.24 2014, through 4:00 a.m. on July 16, 2014;

12.25 (3) local licensing jurisdictions issuing special permits to operate with extended
12.26 hours during these days may charge a fee up to but not to exceed \$2,500 for such a permit.

12.27 In the process of issuing a permit under this section, the licensing jurisdiction may limit
12.28 approval to specified geographic, zoning, or license classifications within its jurisdiction,
12.29 or to specific days within the time period described in clause (2); and

12.30 (4) this section is repealed as of 4:01 a.m. on July 16, 2014.

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

13.1 Sec. 20. **REVISOR'S INSTRUCTION.**

13.2 The revisor of statutes, with cooperation from the House Research Department and
13.3 the Office of Senate Counsel, Research, and Fiscal Analysis, shall prepare legislation
13.4 to create a separate statute, each, for licensing of brew pubs, small brewers, and other
13.5 providers of alcohol where statutes have, in the opinion of the revisor of statutes, become
13.6 intermingled beyond sense.

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

13.8 Sec. 21. **REPEALER.**

13.9 Laws 2012, chapter 235, section 11, is repealed.

APPENDIX
Repealed Minnesota Session Laws: H2720-1

Laws 2012, chapter 235, section 11

Sec. 11. EXPIRATION.

The changes in section 3 to Minnesota Statutes, section 340A.404, subdivision 4a, expire July 1, 2014.