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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 4002

02/19/2024 Authored by Bahner and Garofalo 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; authorizing brew pubs to be affiliated with a farm winery;
1.3 authorizing issuance of retail licenses to farm wineries and brew pubs
1.4 notwithstanding certain affiliated interests; amending Minnesota Statutes 2022,
1.5 sections 340A.24, subdivision 4; 340A.402, by adding a subdivision.

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

1.7 Section 1. Minnesota Statutes 2022, section 340A.24, subdivision 4, is amended to read:

1.8 Subd. 4. Interest in other license. (a) A brew pub may hold or have an interest in other
1.9 retail on-sale licenses, but may not have an ownership interest in whole or in part, or be an
1.10 officer, director, agent, or employee of, any other manufacturer, brewer, importer, or
1.11 wholesaler, or be an affiliate thereof whether the affiliation is corporate or by management,
1.12 direction, or control.

1.13 (b) Notwithstanding this prohibition, a brew pub may be an affiliate or subsidiary
1.14 company of a brewer licensed in Minnesota or elsewhere if that brewer's only manufacture
1.15 of malt liquor is:

1.16 (1) manufacture licensed under section 340A.301, subdivision 6, clause (d);

1.17 (2) manufacture in another state for consumption exclusively in a restaurant located in
1.18 the place of manufacture; or

1.19 (3) manufacture in another state for consumption primarily in a restaurant located in or
1.20 immediately adjacent to the place of manufacture if the brewer was licensed under section
1.21 340A.301, subdivision 6, clause (d), on January 1, 1995.

2.1 (c) Notwithstanding this prohibition, a brew pub may: (1) have an ownership interest in
2.2 whole or in part in; (2) be an officer, director, agent, or employee of; or (3) be an affiliate,
2.3 whether the affiliation is corporate or by management, direction, or control, of a farm winery.

2.4 Sec. 2. Minnesota Statutes 2022, section 340A.402, is amended by adding a subdivision
2.5 to read:

2.6 Subd. 3. **Brew pubs; farm wineries.** Notwithstanding subdivision 1, clause (5), a brew
2.7 pub or farm winery may be issued a retail license regardless of whether the brew pub or
2.8 farm winery applying for the license has a direct or indirect interest in a brew pub or farm
2.9 winery.