ASSEMBLY, No. 1103

STATE OF NEW JERSEY
219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:
Assemblywoman CAROL A. MURPHY
District 7 (Burlington)

SYNOPSIS
Makes various changes to law governing limited breweries.

CURRENT VERSION OF TEXT
Introduced Pending Technical Review by Legislative Counsel.
AN ACT concerning limited brewery licenses and amending
R.S.33:1-10.

BE IT ENACTED by the Senate and General Assembly of the State
of New Jersey:

1. R.S.33:1-10 is amended to read as follows:

33:1-10. Class A licenses shall be subdivided and classified as
follows:

Plenary brewery license. la. The holder of this license shall be
entitled, subject to rules and regulations, to brew any malt alcoholic
beverages and to sell and distribute his products to wholesalers and
retailers licensed in accordance with this chapter, and to sell and
distribute without this State to any persons pursuant to the laws of
the places of such sale and distribution, and to maintain a
warehouse; provided, however, that the delivery of this product by
the holder of this license to retailers licensed under this title shall be
from inventory in a warehouse located in this State which is
operated under a plenary brewery license. The fee for this license
shall be $10,625.

Limited brewery license. lb. The holder of this license shall
be entitled, subject to rules and regulations, to brew any malt
alcoholic beverages in a quantity to be expressed in said license,
dependent upon the following fees and not in excess of 300,000
barrels of 31 fluid gallons capacity per year and to sell and
distribute this product to wholesalers and retailers licensed in
accordance with this chapter, and to sell and distribute without this
State to any persons pursuant to the laws of the places of such sale
and distribution, and to maintain a warehouse; provided, however,
that the delivery of this product by the holder of this license to
retailers licensed under this title shall be from inventory in a
warehouse located in this State which is operated under a limited
brewery license. The holder of this license shall be entitled to sell
this product at retail to consumers on the licensed premises of the
brewery for consumption on the premises, but only in connection
with [a] an on-site or virtual tour of the brewery, or for
consumption off the premises, in the form of a keg, sixtel, case, six-
pack, growler, crowler or other container, in a quantity of not more
than 15.5 fluid gallons per person, and to offer samples for
sampling purposes only pursuant to an annual permit issued by the
director. An on-site or virtual tour shall not be required for off-
premises retail sales.

The holder of this license shall not sell food or operate a
restaurant on the licensed premises. The fee for this license shall be
graduated as follows:

to so brew not more than 50,000 barrels of 31 liquid gallons
capacity per annum, $1,250;

EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.
to so brew not more than 100,000 barrels of 31 fluid gallons capacity per annum, $2,500;
to so brew not more than 200,000 barrels of 31 fluid gallons capacity per annum, $5,000;
to so brew not more than 300,000 barrels of 31 fluid gallons capacity per annum, $7,500.

The holder of this license may hold on-site special events on the licensed premises of a limited brewery that is open to the general public. The licensee also may hold off-site special events that are open to the general public. The licensee shall notify the director at least 10 days in advance of the date of an on-site special event and shall notify the director and municipality in which an off-site special event is taking place at least 21 days in advance of the date of the off-site special event. The notification shall include: the name and address of the limited brewery; the date, time, and description of the event; the estimated number of attendees; whether there will be a cover charge; the event security plan to prevent consumption of alcoholic beverages by persons under the legal age to consume alcoholic beverages; and the name, address, and other contact information for any outside vendor providing entertainment.

A cover charge imposed by the licensee to attend an on-site or off-site special event shall not include any free or discounted alcoholic beverages and an attendee shall not be required to purchase an alcoholic beverage as a condition of entry. If an outside vendor charges a fee, an attendee shall directly pay the licensee the fee to attend the event and the licensee shall pay the fee to the outside vendor.

For the purposes of this subsection, "sampling":

"Crowler" means a fillable and machine-sealable beer can used to package malt alcoholic beverages for off-premises consumption commonly sold at limited and restricted breweries, which does not hold more than 32 ounces of beer.

"Growler" means a glass, ceramic, or stainless steel jug used to transport malt alcoholic beverages for off-premises consumption commonly sold at limited or restricted breweries, which does not hold more than 128 ounces of beer.

“Off-site special event” shall include, but not be limited to, beer, music, or arts festivals; civic events; athletic events; limited brewery anniversary celebrations; and holiday celebrations.

“On-site special event” includes, but is not limited to: trivia and quizzes; paint and sip craft making; live music and open microphone; live televised sporting events; educational events and seminars; movie or theatrical events; animal adoption events to the extent permitted by local ordinance; yoga and similar classes; and private parties.

"On-site tour" means any form of engagement with brewery visitors on the licensed premises that communicates information
about the brewery and the brewing process and shall apply to an initial and subsequent visit to a limited brewery.

“Product” means any malt alcoholic beverage that is produced on the premises licensed under this subsection.

“Sampling” means the selling at a nominal charge or the gratuitous offering of an open container not exceeding four ounces of any malt alcoholic beverage. [For the purposes of this subsection, “product” means any malt alcoholic beverage that is produced on the premises licensed under this subsection.]

“Virtual tour” means the simulation of an existing location through sequential videos or still images, which may be enhanced with text, images, audio, video, or animation, to recreate a realistic representation of reality.

Restricted brewery license. 1c. The holder of this license shall be entitled, subject to rules and regulations, to brew any malt alcoholic beverages in a quantity to be expressed in such license not in excess of 10,000 barrels of 31 gallons capacity per year. Notwithstanding the provisions of R.S.33:1-26, the director shall issue a restricted brewery license only to a person or an entity which has identical ownership to an entity which holds a plenary retail consumption license issued pursuant to R.S.33:1-12, provided that such plenary retail consumption license is operated in conjunction with a restaurant regularly and principally used for the purpose of providing meals to its customers and having adequate kitchen and dining room facilities, and that the licensed restaurant premises is immediately adjoining the premises licensed under this subsection. The holder of this license shall be entitled to sell or deliver the product to that restaurant premises. The holder of this license also shall be entitled to sell and distribute the product to wholesalers licensed in accordance with this chapter. The fee for this license shall be $1,250, which fee shall entitle the holder to brew up to 1,000 barrels of 31 liquid gallons per annum. The licensee also shall pay an additional $250 for every additional 1,000 barrels of 31 fluid gallons produced. The fee shall be paid at the time of application for the license, and additional payments based on barrels produced shall be paid within 60 days following the expiration of the license term upon certification by the licensee of the actual gallons brewed during the license term. No more than 10 restricted brewery licenses shall be issued to a person or entity which holds an interest in a plenary retail consumption license. If the governing body of the municipality in which the licensed premises will be located should file a written objection, the director shall hold a hearing and may issue the license only if the director finds that the issuance of the license will not be contrary to the public interest. All fees related to the issuance of both licenses shall be paid in accordance with statutory law. The provisions of this subsection shall not be construed to limit or restrict the rights and privileges granted by the plenary retail consumption license held by
the holder of the restricted brewery license issued pursuant to this subsection.

The holder of this license shall be entitled to offer samples of its product for promotional purposes at charitable or civic events off the licensed premises pursuant to an annual permit issued by the director.

For the purposes of this subsection, "sampling" means the selling at a nominal charge or the gratuitous offering of an open container not exceeding four ounces of any malt alcoholic beverage product.

For the purposes of this subsection, "product" means any malt alcoholic beverage that is produced on the premises licensed under this subsection.

Plenary winery license. 2a. Provided that the holder is engaged in growing and cultivating grapes or fruit used in the production of wine on at least three acres on, or adjacent to, the winery premises, the holder of this license shall be entitled, subject to rules and regulations, to produce any fermented wines, and to blend, fortify and treat wines, and to sell and distribute his products to wholesalers licensed in accordance with this chapter and to churches for religious purposes, and to sell and distribute without this State to any persons pursuant to the laws of the places of such sale and distribution, and to maintain a warehouse, and to sell his products at retail to consumers on the licensed premises of the winery for consumption on or off the premises and to offer samples for sampling purposes only. The fee for this license shall be $938. A holder of this license who produces not more than 250,000 gallons per year shall also have the right to sell and distribute his products to retailers licensed in accordance with this chapter, except that the holder of this license shall not use a common carrier for such distribution. The fee for this additional privilege shall be graduated as follows: a licensee who manufactures more than 150,000 gallons, but not in excess of 250,000 gallons per annum, $1,000; a licensee who manufactures more than 100,000 gallons, but not in excess of 150,000 gallons per annum, $500; a licensee who manufactures more than 50,000 gallons, but not in excess of 100,000 gallons per annum, $250; a licensee who manufactures 50,000 gallons or less per annum, $100. A holder of this license who produces not more than 250,000 gallons per year shall have the right to sell such wine at retail in original packages in 15 salesrooms apart from the winery premises for consumption on or off the premises and for sampling purposes for consumption on the premises, at a fee of $250 for each salesroom. Licensees shall not jointly control and operate salesrooms. Additionally, the holder of this license who produces not more than 250,000 gallons per year may ship not more than 12 cases of wine per year, subject to regulation, to any person within or without this State over 21 years of age for personal consumption and not for resale. A case of wine shall not exceed a maximum of nine liters. A copy of the original
invoice shall be available for inspection by persons authorized to
enforce the alcoholic beverage laws of this State for a minimum
period of three years at the licensed premises of the winery. For the
purposes of this subsection, "sampling" means the selling at a
nominal charge or the gratuitous offering of an open container not
exceeding one and one-half ounces of any wine.

A holder of this license who produces not more than 250,000
gallons per year shall not own, either in whole or in part, or hold,
either directly or indirectly, any interest in a winery that produces
more than 250,000 gallons per year. In addition, a holder of this
license who produces more than 250,000 gallons per year shall not
own, either in whole or in part, or hold, either directly or indirectly,
y any interest in a winery that produces not more than 250,000
gallons per year. For the purposes of this subsection, "product"
means any wine that is produced, blended, fortified, or treated by
the licensee on its licensed premises situated in the State of New
Jersey. For the purposes of this subsection, "wine" shall include
"hard cider" and "mead" as defined in this section.

Farm winery license. 2b. The holder of this license shall be
entitled, subject to rules and regulations, to manufacture any
fermented wines and fruit juices in a quantity to be expressed in
said license, dependent upon the following fees and not in excess of
50,000 gallons per year and to sell and distribute his products to
wholesalers and retailers licensed in accordance with this chapter
and to churches for religious purposes and to sell and distribute
without this State to any persons pursuant to the laws of the places
of such sale and distribution, and to maintain a warehouse and to
sell at retail to consumers for consumption on or off the licensed
premises and to offer samples for sampling purposes only. The
license shall be issued only when the winery at which such
fermented wines and fruit juices are manufactured is located and
constructed upon a tract of land exclusively under the control of the
licensee, provided that the licensee is actively engaged in growing
and cultivating an area of not less than three acres on or adjacent to
the winery premises and on which are growing grape vines or fruit
to be processed into wine or fruit juice; and provided, further, that
for the first five years of the operation of the winery such fermented
wines and fruit juices shall be manufactured from at least 51
percent grapes or fruit grown in the State and that thereafter they
shall be manufactured from grapes or fruit grown in this State at
least to the extent required for labeling as "New Jersey Wine" under
the applicable federal laws and regulations. The containers of all
wine sold to consumers by such licensee shall have affixed a label
stating such information as shall be required by the rules and
regulations of the Director of the Division of Alcoholic Beverage
Control. The fee for this license shall be graduated as follows: to so
manufacture between 30,000 and 50,000 gallons per annum, $375;
to so manufacture between 2,500 and 30,000 gallons per annum,
$250; to so manufacture between 1,000 and 2,500 gallons per annum, $125; to so manufacture less than 1,000 gallons per annum, $63. No farm winery license shall be held by the holder of a plenary winery license or be situated on a premises licensed as a plenary winery.

The holder of this license shall also have the right to sell and distribute his products to retailers licensed in accordance with this chapter, except that the holder of this license shall not use a common carrier for such distribution. The fee for this additional privilege shall be $100. The holder of this license shall have the right to sell his products in original packages at retail to consumers in 15 salesrooms apart from the winery premises for consumption on or off the premises, and for sampling purposes for consumption on the premises, at a fee of $250 for each salesroom. Licensees shall not jointly control and operate salesrooms. Additionally, the holder of this license may ship not more than 12 cases of wine per year, subject to regulation, to any person within or without this State over 21 years of age for personal consumption and not for resale. A case of wine shall not exceed a maximum of nine liters. A copy of the original invoice shall be available for inspection by persons authorized to enforce the alcoholic beverage laws of this State for a minimum period of three years at the licensed premises of the winery. For the purposes of this subsection, “sampling” means the selling at a nominal charge or the gratuitous offering of an open container not exceeding one and one-half ounces of any wine.

A holder of this license who produces not more than 250,000 gallons per year shall not own, either in whole or in part, or hold, either directly or indirectly, any interest in a winery that produces more than 250,000 gallons per year.

Unless otherwise indicated, for the purposes of this subsection, with respect to farm winery licenses, "manufacture" means the vinification, aging, storage, blending, clarification, stabilization and bottling of wine or juice from New Jersey fruit to the extent required by this subsection.

For the purposes of this subsection, "wine" shall include "hard cider" and "mead" as defined in this section.

Wine blending license.  2c. The holder of this license shall be entitled, subject to rules and regulations, to blend, treat, mix, and bottle fermented wines and fruit juices with non-alcoholic beverages, and to sell and distribute his products to wholesalers and retailers licensed in accordance with this chapter, and to sell and distribute without this State to any persons pursuant to the laws of the places of such sale and distribution, and to maintain a warehouse. The fee for this license shall be $625.

For the purposes of this subsection, "wine" shall include "hard cider" and "mead" as defined in this section.
Instructional winemaking facility license.  2d.  The holder of this license shall be entitled, subject to rules and regulations, to instruct persons in and provide them with the opportunity to participate directly in the process of winemaking and to directly assist such persons in the process of winemaking while in the process of instruction on the premises of the facility.  The holder of this license also shall be entitled to manufacture wine on the premises not in excess of an amount of 10 percent of the wine produced annually on the premises of the facility, which shall be used only to replace quantities lost or discarded during the winemaking process, to maintain a warehouse, and to offer samples produced by persons who have received instruction in winemaking on the premises by the licensee for sampling purposes only on the licensed premises for the purpose of promoting winemaking for personal or household use or consumption.  Wine produced on the premises of an instructional winemaking facility shall be used, consumed or disposed of on the facility's premises or distributed from the facility's premises to a person who has participated directly in the process of winemaking for the person's personal or household use or consumption.  The holder of this license may sell mercantile items traditionally associated with winemaking and novelty wearing apparel identified with the name of the establishment licensed under the provisions of this section. The holder of this license may use the licensed premises for an event or affair, including an event or affair at which a plenary retail consumption licensee serves alcoholic beverages in compliance with all applicable statutes and regulations promulgated by the director.  The fee for this license shall be $1,000.  For the purposes of this subsection, "sampling" means the gratuitous offering of an open container not exceeding one and one-half ounces of any wine.

For the purposes of this subsection, "wine" shall include "hard cider" and "mead" as defined in this section.

Out-of-State winery license.  2e.  Provided that the applicant does not produce more than 250,000 gallons of wine per year, the holder of a valid winery license issued in any other state may make application to the director for this license. The holder of this license shall have the right to sell and distribute his products to wholesalers licensed in accordance with this chapter and to sell such wine at retail in original packages in 16 salesrooms apart from the winery premises for consumption on or off the premises at a fee of $250 for each salesroom.  Licensees shall not jointly control and operate salesrooms.  The annual fee for this license shall be $938.  A copy of a current license issued by another state shall accompany the application. The holder of this license also shall have the right to sell and distribute his products to retailers licensed in accordance with this chapter, except that the holder of this license shall not use a common carrier for such distribution.  The fee for this additional privilege shall be graduated as follows: a licensee who
manufactures more than 150,000 gallons, but not in excess of
250,000 gallons per annum, $1,000; a licensee who manufactures
more than 100,000 gallons, but not in excess of 150,000 gallons per
annum, $500; a licensee who manufactures more than 50,000
gallons, but not in excess of 100,000 gallons per annum, $250; a
licensee who manufactures 50,000 gallons or less per annum, $100.
Additionally, the holder of this license may ship not more than 12
cases of wine per year, subject to regulation, to any person within or
without this State over 21 years of age for personal consumption
and not for resale. A case of wine shall not exceed a maximum of
nine liters. A copy of the original invoice shall be available for
inspection by persons authorized to enforce the alcoholic beverage
laws of this State for a minimum period of three years at the
licensed premises of the winery.

The licensee shall collect from the customer the tax due on the
sale pursuant to the "Sales and Use Tax Act," P.L.1966, c.30
(C.54:32B-1 et seq.) and shall pay the tax due on the delivery of
alcoholic beverages pursuant to the "Alcoholic beverage tax law."
R.S.54:41-1 et seq. The Director of the Division of Taxation in the
Department of the Treasury shall promulgate such rules and
regulations necessary to effectuate the provisions of this paragraph,
and may provide by regulation for the co-administration of the tax
due on the delivery of alcoholic beverages pursuant to the
"Alcoholic beverage tax law," R.S.54:41-1 et seq. with the
administration of the tax due on the sale pursuant to the "Sales and

A holder of this license who produces not more than 250,000
gallons per year shall not own, either in whole or in part, or hold,
either directly or indirectly, any interest in a winery that produces
more than 250,000 gallons per year.

For the purposes of this subsection, "wine" shall include "hard
cider" and "mead" as defined in this section.

Cidery and meadery license. 2f. The holder of this license
shall be entitled, subject to rules and regulations, to manufacture
hard cider and mead and to sell and distribute these products to
wholesalers and retailers licensed in accordance with this chapter,
and to sell and distribute without this State to any persons pursuant
to the laws of the places of such sale and distribution, and to
maintain a warehouse. The holder of this license shall be entitled to
sell these products at retail to consumers on the licensed premises
for consumption on or off the premises and to offer samples for
sampling purposes only. The holder of this license shall be
permitted to offer for sale or make the gratuitous offering of
packaged crackers, chips, nuts, and similar snacks to consumers, but
shall not operate a restaurant on the licensed premises. The fee for
this license shall be $938.

The holder of this license shall be entitled to manufacture hard
cider in a quantity not to exceed 50,000 barrels of 31 fluid gallons
capacity per year. With respect to the sale and distribution of hard
cider to a wholesaler, the licensee shall be subject to the same
statutory and regulatory requirements as a brewer, and hard cider
shall be considered a malt alcoholic beverage, for the purposes of
(C.33:1-93.12 et seq.). The holder of this license shall not directly
ship hard cider either within or without this State.

The holder of this license shall be entitled to manufacture not
more than 250,000 gallons of mead per year. The holder of this
license may ship not more than 12 cases of mead per year, subject
to regulation, to any person within or without this State over 21
years of age for personal consumption and not for resale. A case of
mead shall not exceed a maximum of nine liters. A copy of the
original invoice shall be available for inspection by persons
authorized to enforce the alcoholic beverage laws of this State for a
minimum period of three years at the licensed premises.

As used in this subsection:
"Hard cider" means a fermented alcoholic beverage derived
primarily from apples, pears, apple juice concentrate and water, or
pear juice concentrate and water, which may include spices, herbs,
honey, or other flavoring, and which contains at least one half of
one percent but less than eight and one half percent alcohol by
volume.
"Mead" means an alcoholic beverage primarily made from
honey, water, and yeast, and which may contain fruit, fruit juices,
spices, or herbs added before or after fermentation has completed,
except that the ratio of fermentable sugars from fruit or fruit juices
shall not exceed 49 percent of the total fermentable sugars used to
produce mead.
"Sampling" means the selling at a nominal charge or the
gratuitous offering of an open container not exceeding four ounces
of hard cider or mead produced on the licensed premises.
Plenary distillery license. 3a. The holder of this license shall
be entitled, subject to rules and regulations, to manufacture any
distilled alcoholic beverages and rectify, blend, treat and mix, and
to sell and distribute his products to wholesalers and retailers
licensed in accordance with this chapter, and to sell and distribute
without this State to any persons pursuant to the laws of the places
of such sale and distribution, and to maintain a warehouse. The fee
for this license shall be $12,500.
Limited distillery license. 3b. The holder of this license shall
be entitled, subject to rules and regulations, to manufacture and
bottle any alcoholic beverages distilled from fruit juices and rectify,
blend, treat, mix, compound with wine and add necessary
sweetening and flavor to make cordial or liqueur, and to sell and
distribute to wholesalers and retailers licensed in accordance with
this chapter, and to sell and distribute without this State to any
persons pursuant to the laws of the places of such sale and
distribution and to warehouse these products. The fee for this license shall be $3,750.

Supplementary limited distillery license. 3c. The holder of this license shall be entitled, subject to rules and regulations, to bottle and rebottle, in a quantity to be expressed in said license, dependent upon the following fees, alcoholic beverages distilled from fruit juices by such holder pursuant to a prior plenary or limited distillery license, and to sell and distribute his products to wholesalers and retailers licensed in accordance with this chapter, and to sell and distribute without this State to any persons pursuant to the laws of the places of such sale and distribution, and to maintain a warehouse. The fee for this license shall be graduated as follows: to so bottle and rebottle not more than 5,000 wine gallons per annum, $313; to so bottle and rebottle not more than 10,000 wine gallons per annum, $625; to so bottle and rebottle without limit as to amount, $1,250.

Craft distillery license. 3d. The holder of this license shall be entitled, subject to rules and regulations, to manufacture not more than 20,000 gallons of distilled alcoholic beverages, to rectify, blend, treat and mix distilled alcoholic beverages, to sell and distribute this product to wholesalers and retailers licensed in accordance with this chapter, and to sell and distribute without this State to any persons pursuant to the laws of the places of such sale and distribution, and to maintain a warehouse. The holder of this license shall be entitled to sell this product at retail to consumers on the licensed premises of the distillery for consumption on the premises, but only in connection with a tour of the distillery, and for consumption off the premises in a quantity of not more than five liters per person. In addition, the holder of this license may offer any person not more than three samples per calendar day for sampling purposes only. For the purposes of this subsection, "sampling" means the gratuitous offering of an open container not exceeding one-half ounce serving of distilled alcoholic beverage produced on the distillery premises. Nothing in this subsection shall be deemed to permit the direct shipment of distilled spirits either within or without this State.

The holder of this license shall not sell food or operate a restaurant on the licensed premises. A holder of this license who certifies that not less than 51 percent of the raw materials used in the production of distilled alcoholic beverages under this section are grown in this State or purchased from providers located in this State may, consistent with all applicable federal laws and regulations, label these distilled alcoholic beverages as "New Jersey Distilled."

The fee for this license shall be $938.

Rectifier and blender license. 4. The holder of this license shall be entitled, subject to rules and regulations, to rectify, blend, treat and mix distilled alcoholic beverages, and to fortify, blend, and treat fermented alcoholic beverages, and prepare mixtures of
alcoholic beverages, and to sell and distribute his products to
wholesalers and retailers licensed in accordance with this chapter,
and to sell and distribute without this State to any persons pursuant
to the laws of the places of such sale and distribution, and to
maintain a warehouse. The fee for this license shall be $7,500.

Bonded warehouse bottling license. 5. The holder of this
license shall be entitled, subject to rules and regulations, to bottle
alcoholic beverages in bond on behalf of all persons authorized by
federal and State law and regulations to withdraw alcoholic
beverages from bond. The fee for this license shall be $625. This
license shall be issued only to persons holding permits to operate
Internal Revenue bonded warehouses pursuant to the laws of the
United States.

The provisions of section 21 of P.L.2003, c.117 amendatory of
this section shall apply to licenses issued or transferred on or after
July 1, 2003, and to license renewals commencing on or after July
1, 2003.
(cf: P.L.2017, c.80, s.1)

2. This act shall take effect immediately.

STATEMENT

This bill authorizes limited breweries, commonly referred to as
microbreweries, to hold certain on-site and off-site events open to
the general public.

Under current law, the holder of a limited brewery license is
entitled to brew up to 300,000 barrels of 31 fluid gallons capacity
per year of malt alcoholic beverages to sell and distribute to
wholesalers and retailers. These licensees are authorized to sell
their product at retail to consumers on the licensed premises for on-
site consumption, but only in connection with a tour of the brewery.

This bill specifically authorizes a limited brewery licensee to
hold on-site special events open to the general public on the
licensed premises of the brewery, as well as off-site special events
open to the general public. Under the bill, on-site special events
include trivia and quizzes; paint and sip craft making; live music
and open microphone; live televised sporting events; educational
events and seminars; movie or theatrical events; animal adoption
events to the extent permitted by local ordinance; yoga and similar
classes; and private parties, such as birthdays, weddings,
nniversaries, civic and political functions, professional and trade
association events, and class reunion and alumni events. Off-site
special events under the bill include beer, music, and arts festivals;
civic events; athletic events, such as 5K races, mud runs, and bike
races; limited brewery anniversary celebrations; and holiday
celebrations.
The licensee is required to notify the director at least 10 days in advance of the date of an on-site special event and to notify the director and municipality in which an off-site special event is taking place at least 21 days in advance of the date of the event. The notification is to include: the name and address of the limited brewery; the date, time, and description of the event; the estimated number of attendees; whether there will be a cover charge; the event security plan to prevent consumption of alcoholic beverages by persons under the legal age to consume alcoholic beverages; and the name, address, and other contact information for any outside vendor providing entertainment. A cover charge imposed by the licensee to attend the event may not include any free or discounted alcoholic beverages and an attendee is not to be required to purchase an alcoholic beverage as a condition of entry. If an outside vendor charges a fee, the bill directs that the attendee pay a fee to attend the event to the licensee and the licensee is to pay the fee for the services of the outside vendor.

Also under the bill, the requirement that a consumer take a tour of the brewery as a prerequisite to consuming malt alcoholic beverages on the premises can be satisfied by taking either an on-site tour or a virtual tour of the brewery. The bill defines an “on-site tour” as “any form of engagement with brewery visitors on the licensed premises that communicates information about the brewery and the brewing process and shall apply to an initial and subsequent visit to a limited brewery. A “virtual tour” is defined as “the simulation of an existing location through sequential videos or still images, which may be enhanced with text, images, audio, video, or animation, to recreate a realistic representation of reality.”

Finally, the bill clarifies that an on-site or virtual tour is not required for the licensee to sell its product at retail for off-premises consumption and that the product may be sold in a keg, sixtel, case, six-pack, growler, or crowler.