

HB 331-FN – AS INTRODUCED

2013 SESSION

13-0436
03/04

HOUSE BILL **331-FN**
AN ACT relative to wine manufacturers.
SPONSORS: Rep. Warden, Hills 39
COMMITTEE: Commerce and Consumer Affairs

ANALYSIS

This bill broadens the authority of a wine manufacturer to sell at retail and wholesale and permits a wine manufacturer to sell product manufactured by others, including beer.

Explanation: Matter added to current law appears in ***bold italics***.
 Matter removed from current law appears [~~in brackets and struck through~~].
 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Thirteen

AN ACT relative to wine manufacturers.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 Wine Manufacturer License. Amend RSA 178:8 to read as follows:

2 178:8 Wine Manufacturer License.

3 I. Wine manufacturer licensees may ferment fruit or other agricultural products [~~containing~~
4 ~~sugar~~] to produce table wine, and to produce [~~from that~~] wine fortified wine.

5 II. Each wine manufacturer [~~in this state~~] shall have the right to sell and to transport and
6 deliver [~~wines~~] **beverages** manufactured [~~by it~~] **in New Hampshire** directly to the holders of on-
7 premises or off-premises licenses [~~issued by the commission. No wine manufactured in this state by~~
8 ~~any manufacturer shall be sold or delivered in this state in any manner which is inconsistent with~~
9 ~~the provisions of this title~~] **or consumers**.

10 III. Each wine manufacturer shall have the right to sell at retail or wholesale [~~at its winery~~]
11 for off-premises **or on-premises** consumption any [~~of its wines~~] **New Hampshire beverage**.
12 Visitors at said premises may be provided with reasonable samples of [~~wine~~] **beverage** for tasting,
13 **for a fee or served complimentary**. [~~Pursuant to rules adopted by the commission, a~~] **Each** wine
14 manufacturer may transport its products [~~to a farmers' market or a wine festival licensed under~~
15 ~~RSA 178:31,~~] **or any New Hampshire domestic beverage** and may sell such products [~~at retail in~~
16 ~~the original container~~].

17 IV. Each wine manufacturer shall maintain records and prepare reports for the commission
18 which shall indicate the sales made **of its manufactured product** under this section and shall pay
19 to the commission monthly a fee equal to 5 percent of such sales on or before the tenth day of the
20 month following the sale.

21 V. Each wine manufacturer shall have the right to transport [~~wines~~] **any beverage**
22 manufactured [~~by it~~] **in this state** to the state border for transportation and sale outside the state.

23 VI. Each wine manufacturer shall have the right to hire sales representatives subject to
24 RSA 179:11 as it desires, and shall have the right to solicit sales of [~~its wines~~] **any beverage** directly
25 to **any wholesale or retail** [~~licensees~~] **entity**.

26 VII. The holder of a wine manufacturer license, or designee, [~~may~~] **shall** be issued an on-
27 premises license [~~at the discretion of the commission~~] **upon application**. The annual fee each
28 license issued under this section shall be as required under RSA 178:29.

29 2 Effective Date. This act shall take effect January 1, 2014.

LBAO
13-0436
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HB 331-FN - FISCAL NOTE

AN ACT relative to wine manufactures.

FISCAL IMPACT:

The Liquor Commission states this bill, **as introduced**, will have an indeterminable fiscal impact on state revenue in FY 2014 and each year thereafter. There is no fiscal impact on county and local revenue or state, county and local expenditures.

METHODOLOGY:

The Liquor Commission states this bill broadens the authority of a wine manufacturer to sell at retail and wholesale and permits a wine manufacturer to sell any New Hampshire beverage. The Commission states it is not able to determine the fiscal impact of this bill on state Liquor Fund revenue. The Commission has no information on the number of businesses that might take advantage of this new license type or if some current licensees might change license type to this new category or the impact of allowing wine manufacturers to sell and distribute any New Hampshire domestic beverage.