

Proposed 2013 Session Legislation

Agency Name & No: Department of Revenue

Priority Number: 14 Filename: 5801\03-014

Short Title: Add a license type for new growing business model - Brew On Premise

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1. Purpose:

To protect the public health and safety by providing statutory guidelines for Brew on Premise businesses within the state. Alcoholic beverages are regulated in the state to protect the public health and safety, however this type of business which allows consumers to manufacturer their own beer is not regulated to ensure they meet building health and fire code regulations, ensure alcoholic beverages are not provided to underage or intoxicated persons, or to ensure the owners are qualified to be good purveyors of alcoholic beverages. There is a clear need to clarify the law in this area in order to avoid problems as this business model grows.

2. Background:

Due to the fact that these types of businesses are not actually selling alcoholic beverages, they are not regulated by the federal Alcohol and Tobacco Tax and Trade Bureau (TTB). They are merely providing a facility and service for customers to make their own products, therefore TTB does not regulate the business. Persons interested in this type of business call our office to get the necessary paperwork to apply for a license and are shocked when we tell them there is no license required by law or application necessary.

3. Fiscal Impact by Fund Type: This impact should be as specific as possible.

4. Summary Checklist [Check & complete all that apply]--

- Housekeeping Only Federal Requirement Audit Recommendation (Audit No.:) Major Legislation
- Anticipated to be Controversial Legislation Bill Draft has been included in Legislation Submittal (if available)
- Supports Submitted EPP Item Number Local Government Fiscal Impact
- Increases FTE, or Decreases FTE by List FTE amount and program
- Increases Existing Revenue Tax Fee Penalty [amount in #3]
- Decreases Existing Revenue Tax Fee Penalty [amount in #3]
- Establishes New Revenue Tax Fee Penalty [amount in #3]
- Leg. has been Submitted in Previous Legislative Sessions (list priority no, LC no, or bill no):
- Legislation would affect other state agencies (list):
- Special Interest Groups Affected (list):
- Other: