Amer - 2023		Reading-white - Requested by: Greg Hertz - (H) Business and	Labor		
	egislature 2023	Drafter: Jameson Walker, 406-444-3722	SB0209.002.001		
1		SENATE BILL NO. 209			
2		INTRODUCED BY G. HERTZ			
3					
4	A BILL FOR AN	NACT ENTITLED: "AN ACT REVISING LAWS RELATING TO MONTANA DIST	TILLERIES;		
5	REVISING HO	URS OF OPERATION TO ALIGN WITH BREWERY SAMPLE ROOMS; INCRE	ASING THE		
6	AMOUNT FOR	OFF-PREMISES SALES; AND AMENDING SECTION 16-4-312, MCA; AMEN	DING SECTION		
7	16-4-312, MCA	."			
8					
9	BE IT ENACTE	D BY THE LEGISLATURE OF THE STATE OF MONTANA:			
10					
11	Section 1. Section 16-4-312, MCA, is amended to read:				
12	"16-4-3	B12. Domestic distillery. (1) A distillery located in Montana and licensed purs	uant to 16-4-311		
13	may:				
14	(a)	import necessary products in bulk;			
15	(b)	bottle, produce, blend, store, transport, or export liquor that it produces; and			
16	(c)	perform those operations that are permitted for bonded distillery premises und	er applicable		
17	regulations of t	he United States department of the treasury.			
18	(2)	(a) A distillery that is located in Montana and licensed pursuant to 16-4-311 sh	all sell liquor to		
19	the department	under this code, and the department shall include the distillery's liquor as a liste	ed product.		
20	(b)	The distillery may use a common carrier for delivery of the liquor to the depart	nent.		
21	(c)	A distillery that produces liquor within the state under this subsection (2) shall	maintain records		
22	of all sales and	shipments. The distillery shall furnish monthly and other reports concerning qua	antities and		
23	prices of liquor	that it ships to the department and other information that the department may d	etermine to be		
24	necessary to e	nsure that distribution of liquor within this state conforms to the requirements of	this code.		
25	(3)	A microdistillery may:			
26	(a)	provide, with or without charge, not more than 2 ounces of liquor that it produc	es at the		
27	microdistillery t	o consumers for prepared servings <u>:</u>			
28	<u>(i)</u>	though- <u>through</u> curbside pickup between 10 a.m. and 8 p.m. <u>; and</u>			
	Legislativ Services Division		Version – SB 209		

Amendment -	1st Reading-white -	- Requested by:	Greg Hertz -	(H) Business and Lab	or

- 2023 68th Legislature 2023

Drafter: Jameson Walker, 406-444-3722

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1	(ii) or consumption on the for on-premises consumption during the hours of operation that are
2	dentical to those allowed for a brewery license provided for in 16-3-213(2)(b) and corresponding administrativ
3	ules relating to the service, consumption, and possession of alcoholic beverages on the premises between 10
4	a.m. and 8 p.m.; or
5	(b) sell liquor in original packaging that it produces at retail at the distillery between the hours of 8
6	a.m. and 2 a.m. directly to the consumer, including curbside pickup, for off-premises consumption if:
7	(i) not more than <u>1.75</u> <u>4.5</u> <u>1.75</u> <u>4.5</u> liters a day is sold to an individual; and
8	(ii) the minimum retail price as determined by the department is charged."
9	
10	NEW SECTION. Section 2. Transition. The department shall revise its administrative rules
11	mplementing 16-3-213 and 16-4-312 or any other applicable statute to include sample room hours of
12	operations that are identical for Montana distilleries and breweries. The intent of this act is to make the hours of
13	operation for service to and consumption and possession of alcohol by consumers at breweries and distilleries
14	equal.
15	- END -