



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fifth Legislature
First Regular Session

House: COM DPA 9-0-0-1

HB 2753: distilleries; licensing; environmental exemption

Sponsor: Representative Hernandez A, LD 3

House Engrossed

Overview

Modifies recordkeeping and food safety regulations for liquor licensees.

History

A person who has been issued a liquor license by the Department of Liquor Licenses and Control (DLLC) must maintain records of their licensed activity, including information about all employees at the licensed premises. The licensee must retain these records for two years ([A.R.S. § 4-119](#)).

Production and storage spaces means bonded areas, tax-paid storage areas and areas that provide no services to the public ([A.R.S. § 4-205.10](#)).

The Department of Health Services (DHS) issues rules that require reasonably necessary standards for food and drink for human consumption. These standards govern sanitary production facilities, warehouses and restaurants, as well as trucks or other vehicles involved in the transportation of food and drink. Some food and drink is statutorily exempted from these DHS rules ([A.R.S. § 36-136](#)).

Provisions

1. Exempts a liquor licensee's records that contain proprietary formula, production process and business information filed with the United States Alcohol and Tobacco Tax and Trade Bureau from inspection by DLLC. (Sec. 1)
2. Subjects licensed producers, including craft distillers, brewers and farm wineries, to federal food safety rules and exemptions.
 - a) Specifies the rules and exemptions apply only to *production and storage spaces*. (Sec. 2)
3. Requires DHS to exempt the following from rules governing production, processing, labeling, storing, handling, serving, transportation and inspection:
 - a) Spirituous liquor produced on the premises in a federally permitted area, including an area licensed by DLLC as a microbrewery, farm winery or craft distiller that meets other specifications; and
 - i. Prohibits the *common use* of any cup within the area that is exempt.
 - b) Commercially prepackaged food, crackers or pretzels served for consumption on such premises. (Sec. 3)
4. Defines *common use*. (Sec. 3)
5. Exempts spirituous liquor and commercially prepackaged food, crackers and pretzels from DHS food safety regulation and inspection until DHS adopts such exemptions in rule. (Sec. 3)
6. Makes technical and conforming changes. (Sec. 1, 3)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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