

SENATE BILL NO. 508

BY SENATOR MORRELL

1 AN ACT

2 To amend and reenact R.S. 26:85(6) and the introductory paragraph of 359(B)(1) and (f),
3 relative to alcoholic beverages; to provide for the direct shipment of certain alcoholic
4 beverages to consumers; to provide for requirements for the receipt of shipments of
5 certain alcoholic beverages; to provide for proof of age; and to provide for related
6 matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 26:85(6) and the introductory paragraph of 359(B)(1) and (f) are
9 hereby amended and reenacted to read as follows:

10 §85. Combination of manufacturer, wholesale, and retail business prohibited;
11 exceptions

12 Except as provided in Paragraphs (1) through (6) of this Section, no person
13 shall, at the same time, engage in business as a manufacturer or wine producer and
14 as a wholesaler, as a wholesaler and as a manufacturer or wine producer, as a
15 manufacturer or wine producer and as a retailer, as a retailer and as a manufacturer
16 or wine producer, as a wholesaler and as a retailer, or as a retailer and as a
17 wholesaler of any regulated beverage. However:

18 * * *

19 (6) Notwithstanding any other provision of law to the contrary, wine
20 producers who operate one or more wineries may sell and ship directly to a consumer
21 in Louisiana provided that the total amount of sparkling wine or still wine shipped
22 to any single household address in seven hundred fifty milliliter bottles, not to
23 exceed one hundred forty-four bottles per adult person per household address per
24 calendar year. **The packing in which the sparkling wine or still wine is shipped**
25 **shall be received by a person twenty-one years of age or older. A person**
26 **receiving a package of sparkling wine or still wine shall present proof of age as**
27 **provided in R.S. 26:90 at the time of delivery.**

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§359. Distribution of alcoholic beverages through wholesalers only

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B.(1) Notwithstanding the provisions of Subsection A of this Section, sparkling wine or still wine may be sold and shipped directly to a consumer, **not to a retail dealer's location that is permitted by the Office of Alcohol and Tobacco Control**, in Louisiana by the manufacturer or retailer of such beverage domiciled inside or outside of Louisiana, or by a wine producer domiciled inside or outside of Louisiana, provided both that all taxes levied have been paid in full and that all of the following apply:

* * *

(f) The package in which such sparkling wine or still wine is shipped is received by a person twenty-one years of age or older. **A person receiving a package of sparkling wine or still wine shall present proof of age as provided in R.S. 26:286 at the time of delivery.**

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PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____