

SENATE
STATE OF MINNESOTA
NINETIETH SESSION

S.F. No. 4110

(SENATE AUTHORS: KORAN)

DATE
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OFFICIAL STATUS
Introduction and first reading
Referred to Commerce and Consumer Protection Finance and Policy

1.1 A bill for an act
 1.2 relating to liquor; authorizing manufacturers and brewers to hold a retail on-sale
 1.3 license; amending Minnesota Statutes 2016, sections 340A.301, subdivision 8;
 1.4 340A.402, subdivision 1; 340A.404, subdivision 1.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2016, section 340A.301, subdivision 8, is amended to read:

1.7 Subd. 8. **Interest in other business.** (a) Except as provided in this subdivision, a holder
 1.8 of a license as a ~~manufacturer, brewer, an~~ importer, or wholesaler may not have any
 1.9 ownership, in whole or in part, in a business holding a retail intoxicating liquor or 3.2 percent
 1.10 malt liquor license. The commissioner may not issue a license under this section to a
 1.11 ~~manufacturer, brewer, an~~ importer, or wholesaler if a retailer of intoxicating liquor has a
 1.12 direct or indirect interest in the manufacturer, brewer, importer, or wholesaler. A
 1.13 ~~manufacturer or~~ wholesaler of intoxicating liquor may use or have property rented for retail
 1.14 intoxicating liquor sales only if the ~~manufacturer or~~ wholesaler has owned the property
 1.15 continuously since November 1, 1933. A retailer of intoxicating liquor may not use or have
 1.16 property rented for the ~~manufacture or~~ wholesaling of intoxicating liquor.

1.17 (b) Except as provided in subdivision 9, no brewer as defined in subdivision 9 or importer
 1.18 may have any interest, in whole or in part, directly or indirectly, in the license, business,
 1.19 assets, or corporate stock of a licensed malt liquor wholesaler.

1.20 Sec. 2. Minnesota Statutes 2016, section 340A.402, subdivision 1, is amended to read:

1.21 Subdivision 1. **Disqualifiers.** No retail license may be issued to:

1.22 (1) a person under 21 years of age;

2.1 (2) a person who has had an intoxicating liquor or 3.2 percent malt liquor license revoked
 2.2 within five years of the license application, or to any person who at the time of the violation
 2.3 owns any interest, whether as a holder of more than five percent of the capital stock of a
 2.4 corporation licensee, as a partner or otherwise, in the premises or in the business conducted
 2.5 thereon, or to a corporation, partnership, association, enterprise, business, or firm in which
 2.6 any such person is in any manner interested;

2.7 (3) a person not of good moral character and repute; or

2.8 (4) a person who has a direct or indirect interest in a ~~manufacturer, brewer, or wholesaler.~~

2.9 In addition, no new retail license may be issued to, and the governing body of a
 2.10 municipality may refuse to renew the license of, a person who, within five years of the
 2.11 license application, has been convicted of a felony or a willful violation of a federal or state
 2.12 law or local ordinance governing the manufacture, sale, distribution, or possession for sale
 2.13 or distribution of an alcoholic beverage. The Alcohol and Gambling Enforcement Division
 2.14 or licensing authority may require that fingerprints be taken and forwarded to the Federal
 2.15 Bureau of Investigation for purposes of a criminal history check.

2.16 Sec. 3. Minnesota Statutes 2016, section 340A.404, subdivision 1, is amended to read:

2.17 Subdivision 1. **Cities.** (a) A city may issue an on-sale intoxicating liquor license to the
 2.18 following establishments located within its jurisdiction:

2.19 (1) hotels;

2.20 (2) restaurants;

2.21 (3) bowling centers;

2.22 (4) clubs or congressionally chartered veterans organizations with the approval of the
 2.23 commissioner, provided that the organization has been in existence for at least three years
 2.24 and liquor sales will only be to members and bona fide guests, except that a club may permit
 2.25 the general public to participate in a wine tasting conducted at the club under section
 2.26 340A.419;

2.27 (5) sports facilities, restaurants, clubs, or bars located on land owned or leased by the
 2.28 Minnesota Sports Facilities Authority;

2.29 (6) sports facilities located on land owned by the Metropolitan Sports Commission; ~~and~~

2.30 (7) exclusive liquor stores; and

2.31 (8) manufacturers of intoxicating liquor.

3.1 (b) A city may issue an on-sale intoxicating liquor license, an on-sale wine license, or
3.2 an on-sale malt liquor license to a theater within the city, notwithstanding any law, local
3.3 ordinance, or charter provision. A license issued under this paragraph authorizes sales on
3.4 all days of the week to persons attending events at the theater.

3.5 (c) A city may issue an on-sale intoxicating liquor license, an on-sale wine license, or
3.6 an on-sale malt liquor license to a convention center within the city, notwithstanding any
3.7 law, local ordinance, or charter provision. A license issued under this paragraph authorizes
3.8 sales on all days of the week to persons attending events at the convention center. This
3.9 paragraph does not apply to convention centers located in the seven-county metropolitan
3.10 area.

3.11 (d) A city may issue an on-sale wine license and an on-sale malt liquor license to a
3.12 person who is the owner of a summer collegiate league baseball team, or to a person holding
3.13 a concessions or management contract with the owner, for beverage sales at a ballpark or
3.14 stadium located within the city for the purposes of summer collegiate league baseball games
3.15 at the ballpark or stadium, notwithstanding any law, local ordinance, or charter provision.
3.16 A license issued under this paragraph authorizes sales on all days of the week to persons
3.17 attending baseball games at the ballpark or stadium.