



# State of Tennessee

## PUBLIC CHAPTER NO. 699

### SENATE BILL NO. 1686

By Briggs

Substituted for: House Bill No. 1688

By Holsclaw, White

AN ACT to amend Tennessee Code Annotated, Title 57, relative to alcoholic beverages.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 57, Chapter 3, Part 2, is amended by adding the following new section:

(a) Beginning January 1, 2023, there is created a common carrier license to be issued by the commission to a person, firm, or corporation that transports goods for a fee, and maintains a regularly established schedule of service within this state to transport wine from a person licensed under § 57-3-217 or § 57-3-415 directly to the citizens of the state who are twenty-one (21) years of age or older. Each applicant shall pay to the commission a one-time, nonrefundable fee in the amount of three hundred dollars (\$300) when the application is submitted for review. A license under this section must not be issued until the applicant has paid to the commission the annual license fee of one thousand dollars (\$1,000).

(b) A common carrier shall only transport wine to individuals over twenty-one (21) years of age and in accordance with § 57-3-217. It is a violation for a common carrier, their employees, agents, or contractors, upon the time of final delivery to the individual, to not inspect a valid government-issued identification for proof the individual is twenty-one (21) years of age or older.

(c) This section does not apply to common carriers regulated under 49 U.S.C. §§ 10101 et seq., or to rail trailer-on-flatcar/container-on-flatcar (TOFC/COFC) service, as defined in 49 CFR § 1090.1, or highway TOFC/COFC service provided by a rail carrier, either itself or jointly with a motor carrier, as part of continuous intermodal freight transportation, including, without limitation, any other TOFC/COFC transportation as defined under federal law.

(d) The commission may make such investigations and inspections necessary to administer this part.

SECTION 2. Tennessee Code Annotated, Section 57-3-217, is amended by deleting subsection (g) and substituting:

(g)(1)(A) It is an offense for a person to ship alcoholic beverages or beer to residents of this state without a license authorizing such activity.

(B) A violation of subdivision (g)(1)(A) is a Class E felony, punishable by a fine only.

(2)(A) All shipments of alcoholic beverages or beer made in this state must be by face-to-face delivery to individuals who provide proof satisfactory that they are over twenty-one (21) years of age and sign upon receipt.

(B) A violation of subdivision (g)(2)(A) is a Class B misdemeanor, punishable by a fine only.

SECTION 3. For the purposes of promulgating rules, this act takes effect upon becoming a law, the public welfare requiring it. Section 2 of this act takes effect upon becoming a law, the public welfare requiring it. For all other purposes, this act takes effect January 1, 2023, the public welfare requiring it.

SENATE BILL NO. 1686

PASSED: February 28, 2022

  
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RANDY McNALLY  
SPEAKER OF THE SENATE

  
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CAMERON SEXTON, SPEAKER  
HOUSE OF REPRESENTATIVES

APPROVED this 18<sup>th</sup> day of March 2022

  
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BILL LEE, GOVERNOR