

HOUSE BILL 2138

By Harrison

AN ACT to amend Tennessee Code Annotated, Title 57,  
relative to regulation of wine.

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

SECTION 1. It is the intent of the general assembly that the retail sale of wine be regulated similarly to beer.

SECTION 2. Tennessee Code Annotated, Section 57-2-101(a), is amended by deleting the language "five percent (5%)" and substituting instead the language "fifteen percent (15%)".

SECTION 3. Tennessee Code Annotated, Section 57-3-103(a)(1), is amended by deleting the language "five percent (5%) by weight, or less, except wine" and substituting instead the language "fifteen percent (15%) by weight, or less".

SECTION 4. Tennessee Code Annotated, Title 57, Chapter 3, Part 1, is amended by adding the following as a new section thereto:

57-3-1\_\_.

(a) Notwithstanding any other law to the contrary, wine may still be made available for purchase in retail package stores licensed under this chapter even though wine is no longer regulated by the commission. Any person holding a license on the effective date of this act as a retailer shall be grandfathered in with the local wine and beer board.

(b) All duties performed by the alcoholic beverage commission in regards to the regulation of wine for sale at retail shall, on the effective date of this act, cease. On the effective date of this act, the regulation of wine for sale at retail shall, be performed by local government as provided in chapter 5 of this title.

(c) The amount of taxes collected on wine and the procedure of collecting such taxes shall not be changed by this act.

SECTION 5. Tennessee Code Annotated, Section 57-3-207, is amended by deleting “commission” wherever it appears and when it is referring the alcoholic beverage commission and substituting instead “local wine and beer board”.

SECTION 6. Tennessee Code Annotated, Section 57-5-101(b), is amended by deleting the language “except wine” and substituting instead the language “including wine with an alcoholic content of less than fifteen percent (15%)”.

SECTION 7. Tennessee Code Annotated, Section 57-5-103(a)(1), is amended by deleting the language “storage of beer” and substituting instead the language “storage of beer or wine”.

SECTION 8. Tennessee Code Annotated, Section 57-5-103(a)(8) and (9), is amended by adding the language “or wine” after the language “beer” wherever it appears.

SECTION 9. Tennessee Code Annotated, Title 57, Chapter 5, is amended by adding the following as a new section thereto:

57-5-\_\_\_\_.

Anywhere in this chapter that the regulation of beer is mentioned shall also include the regulation of wine.

SECTION 10. Tennessee Code Annotated, Title 57, Chapter 5, Part 1, is amended by adding the following as a new section thereto:

57-5-1\_\_.

Notwithstanding any other law to the contrary, any jurisdiction that permits the sale of beer may also permit the sale of wine at retail.

SECTION 11. This act shall take effect upon becoming a law, the public welfare requiring it.