



House of Representatives

General Assembly

File No. 190

February Session, 2004

House Bill No. 5453

House of Representatives, March 23, 2004

The Committee on General Law reported through REP. FOX of the 144th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

AN ACT CONCERNING FARM WINERIES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (e) of section 30-16 of the general statutes, as
2 amended by section 146 of public act 03-6 of the June 30 special
3 session, is repealed and the following is substituted in lieu thereof
4 (*Effective October 1, 2004*):

5 (e) A manufacturer permit for a farm winery shall be in all respects
6 the same as a manufacturer permit, except that the scope of operations
7 of the holder shall be limited to wine and brandies distilled from grape
8 products or other fruit products, including grappa and eau-de-vie. As
9 used in this section, "farm winery" means any place or premises,
10 located on a farm in the state in which wine is manufactured and sold.
11 Such permit shall authorize the sale in bulk by the holder thereof from
12 the premises where the products are manufactured pursuant to such
13 permit and shall authorize the holder thereof to sell from such farm
14 winery premises to a retailer wine manufactured by the farm winery

15 permittee in the original sealed containers of not more than fifteen
 16 gallons per container and to sell or deliver such wine or brandy to
 17 persons outside the state. Such permit shall also authorize: (1) The
 18 offering and tasting of free samples of such wine or brandy to visitors
 19 and prospective retail customers for consumption on the premises of
 20 the farm winery permittee; (2) the selling at retail from the premises
 21 sealed bottles or other sealed containers of such wine or brandy for
 22 consumption off the premises; and (3) the selling at retail from the
 23 premises wine by the glass and bottle to visitors on the premises of the
 24 farm winery permittee for consumption on the premises, provided a
 25 town may, by ordinance or zoning regulation, prohibit any such
 26 offering, tasting or selling at retail at premises within such town for
 27 which a manufacturer permit for farm winery has been issued. No
 28 licensed farm winery may sell any such wine or brandy not
 29 manufactured by such winery, except a farm winery may sell wine
 30 manufactured by another farm winery located in this state. The farm
 31 winery permittee shall produce within the state an average crop of
 32 fruit equal to not less than [fifty-one] twenty-five per cent of the fruit
 33 used in the manufacture of the farm winery permittee's wine. An
 34 average crop shall be defined each year as the average yield of the
 35 farm winery permittee's two largest annual crops out of the preceding
 36 five years, except that during the first seven years from the date of
 37 issuance of a farm winery permit, an average crop shall be defined as
 38 three tons of grapes for each acre of vineyard farmed by the farm
 39 winery permittee. The annual fee for a manufacturer permit for a farm
 40 winery shall be two hundred forty dollars.

This act shall take effect as follows:	
Section 1	October 1, 2004

GL *Joint Favorable*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 05 \$	FY 06 \$
Consumer Protection, Dept.	GF - Revenue Gain	Potential Minimal	Potential Minimal

Note: GF=General Fund

Municipal Impact: None

Explanation

Under current law farm wineries must produce an average of 51% of the fruit used to manufacture wine in the state. The bill reduces that requirement to 25%. The application fee for a farm winery liquor permit is \$100 and the initial and renewal license fees are \$240. There are currently 16 active farm winery liquor permits in the state. The bill could result in additional farm wineries applying for liquor permits, thereby producing a minimal revenue gain for the Department of Consumer Protection.

OLR Bill Analysis

HB 5453

AN ACT CONCERNING FARM WINERIES

SUMMARY:

This bill relaxes one of the standards for operating a farm winery. A farm winery is a business located on a farm that manufactures and sells wine and brandies distilled from grape and other fruit products, such as brandy, grappa, and eau-de-vie.

The Liquor Control Act requires, as a condition for obtaining a liquor permit, a farm winery to produce in the state an average crop of fruit equal to at least 51% of the fruit used to manufacture the farm's wine. The bill reduces the percentage to 25%.

EFFECTIVE DATE: October 1, 2004

COMMITTEE ACTION

General Law Committee

Joint Favorable Report

Yea 19 Nay 0