

## June 2024 Legal & Legislative Update

### THE STATES

#### California

Now under Senate consideration, [A.B. 2174](#) would allow beer manufacturers to obtain a Beer Caterer's Permit to sell up to 155 gallons of beer for consumption at certain events, such as a convention or sporting event.

#### Colorado

Signed by the Governor, [Senate Bill 231](#), legislation implementing recommendations of the liquor advisory group convened to conduct a comprehensive review of Colorado's liquor laws, among a variety of provisions, would allow a brewery, a limited winery, and a distillery to manufacture alcohol beverages at up to two noncontiguous locations.

#### Delaware

Made final by the Office of the Delaware Alcoholic Beverage Control Commissioner (OABCC) [Rule 911](#) allows small Delaware brewers to sell and deliver beer to any person licensed to receive and sell beer.

#### Illinois

Failing a third reading deadline, [S.B. 3245](#) provides that any person licensed as a brewer, class 1 brewer, or class 2 brewer shall be permitted to sell on the licensed premises to non-licensees for on-premises or off-premises consumption (instead of for on or off-premises consumption for the premises in which he or she actually conducts such business) and may sell wine or spirits on the licensed premises for off-premises consumption.

#### Louisiana

Before the Governor for action, [H.B. 882](#) with respect to transfers from a permitted microbrewery to another permitted microbrewery, seeks to change the minimum requirement of a receiving microbrewery from a 10-barrel brewing system to a 5-barrel brewing system.

#### Maryland

Signed into law, [Senate Bill 1041](#) establishes direct-to-consumer alcoholic beverages permits authorizing the direct delivery of beer, wine, or liquor to a consumer and repeals off-premises sales restrictions for Class 5 brewery license holders.

#### Massachusetts

Passing the House, [H.B. 4477](#) provides that any distiller, manufacturer, importer or producer which obtains or acquires in any manner the right to sell, ship or distribute any brand item shall stand in the place of, and be subject to, all the rights, privileges, and duties and obligations of its predecessor from whom such brands or brand items were obtained or acquired.

The Massachusetts Alcoholic Beverages Control Commission has issued an [advisory](#) stating it is unlawful to manufacture and/or sell food or beverages containing hemp derived CBD and/or

THC (applies to alcoholic and non-alcoholic beverages) and that these products must be removed from shelves immediately.

### **Michigan**

[S.B. 868](#) would amend the Michigan Liquor Control Code to modify the definitions of "brand" and "brand extension" for certain alcoholic beverages. Specifically, a brand would include various names of the supplier, and the bill would specify that new products using similar branding to an existing product would be considered a brand extension.

### **New Hampshire**

Clearing initial Senate committee consideration, [H.B. 1321](#) provides for repealing penalties for the sale of kegs of malt beverages without a receipt.

### **New York**

Amended and rereferred to committee, [A.B. 8945/S.B. 7864](#) authorize the sale of non-alcoholic versions of alcoholic beverages by licensees and wholesalers and defines non-alcoholic versions of alcoholic beverages.

### **Pennsylvania**

Now in Senate committee, [H.B. 2150](#) would, among several provisions, allow breweries that provide on-premise consumption to remain open past midnight on New Year's Eve until 2 a.m. on New Year's Day.

### **Rhode Island**

Now under House committee consideration, [S.B. 2695](#) would allow for holders of a manufacturer's license to sell one 1/6 barrel keg of malt beverage, produced on the premises, per day.

Held for further study, [House Bill 8024](#) prohibits manufacturers of alcoholic beverages from holding or having any interest in a wholesaler license.