

2023 -- H 5974

LC001996

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2023

A N A C T

RELATING TO ALCOHOLIC BEVERAGES -- MANUFACTURING AND WHOLESALE  
LICENSES

Introduced By: Representative Jason Knight

Date Introduced: March 01, 2023

Referred To: House Small Business

(By Request)

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 3-6-1.1 of the General Laws in Chapter 3-6 entitled "Manufacturing  
2 and Wholesale Licenses" is hereby amended to read as follows:

3 **3-6-1.1. Farmer-winery licenses — Fee.**

4 (a) For the purpose of encouraging the development of domestic vineyards, the department  
5 shall issue a farmer-winery license to any applicant of the state and to applying partnerships and to  
6 applying corporations organized under the laws of any other state of the United States and admitted  
7 to do business in this state.

8 (b) A winegrower may operate a farmer's winery under any conditions the department may  
9 prescribe by regulation.

10 (c) A winegrower may import fruit, flowers, herbs, and vegetables to produce not more  
11 than seven thousand five hundred (7,500) gallons of wine during his or her first year of operation,  
12 not more than five thousand (5,000) gallons during his or her second year of operation, not more  
13 than two thousand five hundred (2,500) gallons during his or her third year of operation and not  
14 more than one thousand (1,000) gallons per year thereafter.

15 (d) If a winegrower suffers crop failure in his or her vineyard in a particular year to the  
16 extent that the fruit yield from his or her vineyard that year is at least twenty-five percent (25%)  
17 below the average yield for the previous two (2) years, the winegrower may import fruit into the  
18 state during that year in an amount equal to the difference between the current year's yield and the

1 average for the previous two (2) years. A winegrower shall not import unfermented juice, wine or  
2 alcohol into the state.

3 (e) A winegrower may sell wine or winery products under his or her label and fermented  
4 by him or her or another winegrower licensed by the state. He or she may sell wine or winery  
5 products:

6 (1) At wholesale to any person holding a valid license to manufacture alcoholic beverages;

7 (2) At wholesale to any person holding a valid wholesaler's and importer's license under  
8 §§ 3-6-9 — 3-6-11;

9 (3) At wholesale to any person holding a valid farmer-winery license under this section;

10 (4) At retail by the bottle to consumers for consumption off the winery premises; and also  
11 at retail off the premises at any time and at up to five (5) separate locations; provided that, prior to  
12 sale, a license from the municipality where each location is situated is obtained; provided further,  
13 however, a winegrower shall not sell wine at retail for delivery off the site of the winery premises  
14 in Rhode Island directly to Rhode Island residents, except as provided in this subsection and except  
15 in the manner provided for like sales and shipment in § 3-4-8.

16 (5) At wholesale to any person in any state or territory in which the importation and sale  
17 of wine is not prohibited by law;

18 (6) At wholesale to any person in any foreign country;

19 (7) At wholesale to liquor dealers holding a valid license under the provisions of title 3;

20 (8) At wholesale to restaurants holding a valid license under the provisions of title 3; and

21 (9) At retail by the bottle or by the glass for consumption on the winery premises.

22 (f) A winegrower may not sell at retail to consumers any wine or winery product not  
23 fermented in the state and sold under the brand name of the winery.

24 (g) A winegrower may serve complimentary samples of wine produced by the winery  
25 where the wine is fermented in the state and sold under the winery brand name.

26 (h) All wines sold by a licensee shall be sold under any conditions and with any labels or  
27 other marks to identify the producer as the department may prescribe.

28 (i) Every applicant for a farmer-winery license shall, at the time of filing an application,  
29 pay a license fee based on a reasonable estimate of the amount of wine to be produced during the  
30 year covered by the license. Persons holding farmer-winery licenses shall report annually at the end  
31 of the year covered by the license the amount of wine produced during that year. If the total amount  
32 of wine produced during the year is less than the amount permitted by the fee already paid, the state  
33 shall reimburse the licensee for whatever fee was paid in excess. If the total amount of wine  
34 produced during the year exceeds the amount permitted by the fee already paid, the licensee shall

1 pay whatever additional fee is owing.

2 SECTION 2. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

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- 1           This act would permit those farmer-winery license holders to sell their products, at retail,  
2 off the licensed premises at any time and at up to five (5) separate locations; provided, they obtain  
3 a license from the local municipality prior to the sale.  
4           This act would take effect upon passage.

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