

HOUSE No. 351

The Commonwealth of Massachusetts

PRESENTED BY:

William M. Straus

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to farmer-wineries.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>William M. Straus</i>	<i>10th Bristol</i>	<i>1/18/2019</i>

HOUSE No. 351

By Mr. Straus of Mattapoisett, a petition (accompanied by bill, House, No. 351) of William M. Straus relative to farmer-wineries license fees. Consumer Protection and Professional Licensure.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 202 OF 2017-2018.]

The Commonwealth of Massachusetts

In the One Hundred and Ninety-First General Court
(2019-2020)

An Act relative to farmer-wineries.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 19B of chapter 138 of the General Laws, as appearing in the 2014
2 Official Edition, is hereby amended by striking subsection (l) and inserting in place thereof the
3 following subsection:-

4 (l) The annual license fee for each winegrower, in respect of each winery, shall be
5 computed based on the wine gallonage produced by the winery as follows:

6 5,000 gallons or less per year: \$ 172. per year

7 More than 5,000 and less than 20,000 gallons per year: \$ 194. per year

8 More than 20,000 gallons and less than 100,000 gallons per year: \$ 232. per year

9 More than 100,000 and less than 200,000 gallons per year: \$260. per year

More than 200,000 and less than 1,000,000 gallons per year: \$260. per year

Each additional 1,000,000 gallons per year: \$111. per year

SECTION 2. Said section 19B of said chapter 138, as so appearing, is hereby amended by inserting after subsection (n) the following subsections:-

(o) Notwithstanding section 22, a winegrower authorized to operate a farmer-winery under this section may transport and deliver anywhere in the commonwealth alcoholic beverages or alcohol lawfully bought or sold by them in vehicles owned or leased by them or their employees.

(p) Upon payment of the fee stated in subsection (l), a winegrower authorized to operate a farmer-winery under this section shall be granted a direct shipment license under section 19F.

SECTION 3. Section 70 of said Chapter 138, as so appearing, is hereby amended by striking, in line 6, the figure “19B,”.

SECTION 4. Section 21 of said chapter 138, as so appearing, is hereby amended by inserting in line 69 after the word “thirteen.” the following sentence:-

No excise shall be imposed under this section on wine produced by a winegrower licensed under section 19B that is used or consumed for the purposes of testing, tasting or sampling the wine.

SECTION 5. Subsection (k) of section 16 of chapter 62C of the General Laws, as so appearing, is hereby amended by inserting in line 119 after the word “him” the following words:-

29 ; provided, that farmer-wineries licensed under section 19B of chapter 138 that produce
30 less than 20,000 gallons of wine per year may elect to file a single return covering the prior
31 calendar year.