

SENATE BILL 3147
By Crutchfield

r*57-5-112

AN ACT to amend Tennessee Code Annotated, Section 57-3-101, 57-3-103, Section 57-5-101 and 57-6-104; and to repeal Section Two of Chapter 560 of the Public Acts of 1997 which is codified as Tennessee Code Annotated, (Section 57-5-112), relative to the definition and distribution of beer and certain malt-based products.

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

SECTION 1. Tennessee Code Annotated, Section 57-5-101(a), is amended by deleting the following language:

or any other beverage of like alcoholic content, except wine as defined in

Section 57-3-101.

SECTION 2. Tennessee Code Annotated, Section 57-5-101(b), is amended by deleting subsection (b) in its entirety and substituting instead the following:

(b) For purposes of this chapter, "beer" means a malt beverage obtained by the fermentation, infusion or decoction of barley, malt, hops or similar product in drinkable water. Such beverage shall clearly and prominently include on its label the designation "beer," ale," "porter," "stout," or "malt liquor." All other malt beverages shall be deemed to be "alcoholic beverages" under §57-3-101.

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SECTION 3. Tennessee Code Annotated, Section 57-3-101(a)(1)(A), is amended in the first sentence by inserting the language “as defined by §57-5-101(b)” after the word “beer” where it appears in that subdivision.

SECTION 4. Tennessee Code Annotated, Section 57-3-103(a)(1), is amended by deleting the language “, any beverage of an alcoholic content of five percent (5%) by weight or less except wine or any” and substituting instead the following language:

beer, as defined in Section 57-5-101(b) or any non-beverage.

SECTION 5. Section Two of Public Chapter 560 of the Public Acts of 1997, (codified as Tennessee Code Annotated, Section 57-5-112) is repealed.

SECTION 6. Tennessee Code Annotated, Section 57-6-104(i), is amended by deleting subsection (i) in its entirety and substituting instead the following:

(i) Notwithstanding any other provision of law to the contrary, it is lawful and allowed for any wholesaler or retailer to sell beer in a container that holds twenty-two (22) ounces, forty (40) ounces, or one (1) gallon or more.

SECTION 7. This act shall take effect upon becoming a law, the public welfare requiring it.