

HOUSE BILL 3099
By Jones U

AN ACT to amend Tennessee Code Annotated, Section 57-3-204; Section 57-3-404(h) and Section 57-3-406(f), to authorize a retailer of alcoholic beverages to conduct consumer educational sampling and tastings on the premises of a retailer.

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

SECTION 1. Tennessee Code Annotated, Section 57-3-404, is amended by deleting subsection (h) in its entirety and substituting in lieu thereof the following:

(h) No alcoholic beverages shall be sold for consumption on the premises of the seller except as provided in chapter 4 of this title and as specifically excepted herein.

Notwithstanding the prohibition herein contained, an entity holding a license issued pursuant to § 57-3-204 may offer without charge or cost samples of alcoholic beverages and spirits to consumers on its licensed premises subject to the following conditions:

(1) A licensee seeking to offer such samples shall notify the commission, in writing, at least ten (10) business days prior to the tasting event of such information related to the event the commission may require.

(2) The commission shall acknowledge receipt of the notification of a sampling event within five (5) days of receipt of the notification.

(3) The samples provided to consumers shall not exceed one-half ounce (½ oz.) in amount per product sampled and no more than four (4) different products may be offered during one (1) calendar day.

(4) Only employees holding permits issued pursuant to §§ 57-3-204(c) and 57-3-203(d), or the designated owner or manager of the licensee where such individual so satisfied the requirements of § 57-3-704(5), may participate directly in the opening, pouring, or offering of samples to consumers.

(5) Nothing in this title shall restrict any employee holding a permit issued pursuant to §§ 57-3-204(c) or 57-3-203(d) from also holding a permit issued pursuant to § 57-3-701, *et seq.*

(6) No person aged less than twenty-one (21) years may be present on the licensed premises at any time a licensee is offering samples or tastings under this section.

(7) No sampling authorized under this subsection may extend beyond one (1) calendar day.

(8) Manufacturer and non-resident permit holders licensed under §§ 57-2-101, *et seq.*, 57-3-202, or 57-3-601, *et seq.*, may provide products to be offered for sampling or tasting only through its designated wholesaler, licensed pursuant to § 57-3-203.

(9) Employees of a manufacturer, distiller, winery, or non-resident sellers permit holder may participate in a sampling or tasting under this section only if the wholesaler authorized to distribute the product or products being distributed is also present.

SECTION 2. Tennessee Code Annotated, Section 57-3-406(f), is amended by deleting the period (.) at the end of that section and inserting the following:

except as may be permitted pursuant to Section 57-3-404(h).

SECTION 3. Tennessee Code Annotated, Section 57-3-204(a), is amended by inserting after the words “and not for consumption on the premises” where they appear in the first sentence of that section the following words:

except such on-premises consumption as may be permitted under Section 57-3-404(h)

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.