



House of Representatives

General Assembly

File No. 299

January Session, 2025

House Bill No. 5361

House of Representatives, March 27, 2025

The Committee on General Law reported through REP. LEMAR of the 96th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

AN ACT CONCERNING THE SOURCE OF THE FRUIT USED BY FARM WINERY PERMITTEES TO MANUFACTURE WINE.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (c) of section 30-16 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective July 1,*
3 *2025*):

4 (c) (1) A manufacturer permit for a farm winery shall be in all respects
5 the same as a manufacturer permit, except that the scope of operations
6 of the holder shall be limited to wine and brandies distilled from grape
7 products or other fruit products, including grappa and eau-de-vie. As
8 used in this section, "farm winery" means any place or premises that is
9 located on a farm in the state in which wine is manufactured and sold.

10 (2) Such permit shall, at the single principal premises of the farm
11 winery, authorize: (A) The sale in bulk by the holder thereof from the
12 premises where the products are manufactured pursuant to such
13 permit; (B) as to a manufacturer who produces one hundred thousand

14 gallons of wine or less per year, the sale and shipment by the holder
15 thereof to a retailer of wine manufactured by the farm winery permittee
16 in the original sealed containers of not more than fifteen gallons per
17 container; (C) the sale and shipment by the holder thereof of wine
18 manufactured by the farm winery permittee to persons outside the state;
19 (D) the offering and tasting of free samples of such wine or brandy,
20 dispensed out of bottles or containers having capacities of not more than
21 two gallons per bottle or container, to visitors and prospective retail
22 customers for consumption on the premises of the farm winery
23 permittee; (E) the sale at retail from the premises of sealed bottles or
24 other sealed containers of such wine or brandy for consumption off the
25 premises; (F) the sale at retail from the premises of wine or brandy by
26 the glass and bottle to visitors on the premises of the farm winery
27 permittee for consumption on the premises; and (G) subject to the
28 provisions of subdivision (3) of this subsection, the sale and delivery or
29 shipment of wine manufactured by the permittee directly to a consumer
30 in this state. Notwithstanding the provisions of subparagraphs (D), (E)
31 and (F) of this subdivision, a town may, by ordinance or zoning
32 regulation, prohibit any such offering, tasting or selling at retail at
33 premises within such town for which a manufacturer permit for a farm
34 winery has been issued.

35 (3) A permittee, when selling and shipping wine directly to a
36 consumer in this state, shall: (A) Ensure that the shipping labels on all
37 containers of wine shipped directly to a consumer in this state
38 conspicuously state the following: "CONTAINS ALCOHOL –
39 SIGNATURE OF A PERSON AGE 21 OR OLDER REQUIRED FOR
40 DELIVERY"; (B) obtain the signature of a person age twenty-one or
41 older at the address prior to delivery, after requiring the signer to
42 demonstrate that such signer is age twenty-one or older by providing a
43 valid motor vehicle operator's license or a valid identity card described
44 in section 1-1h; (C) not ship more than five gallons of wine in any two-
45 month period to any person in this state; (D) pay, to the Department of
46 Revenue Services, all sales taxes and alcoholic beverage taxes due under
47 chapters 219 and 220 on sales of wine to consumers in this state, and file,
48 with said department, all sales tax returns and alcoholic beverage tax

49 returns relating to such sales; (E) report to the Department of Consumer
50 Protection a separate and complete record of all sales and shipments to
51 consumers in the state, on a ledger sheet or similar form which readily
52 presents a chronological account of such permittee's dealings with each
53 such consumer; (F) not ship to any address in the state where the sale of
54 alcoholic liquor is prohibited by local option pursuant to section 30-9;
55 and (G) hold an in-state transporter's permit pursuant to section 30-19f
56 or make any such shipment through the use of a person who holds such
57 an in-state transporter's permit.

58 (4) No licensed farm winery may sell any such wine or brandy not
59 manufactured by such winery, except a licensed farm winery may sell
60 from the premises: (A) Wine manufactured by another farm winery
61 located in this state; and (B) brandy manufactured from fruit harvested
62 in this state and distilled off the premises in this state.

63 (5) (A) Except as provided in subparagraph (B) of this subdivision,
64 the farm winery permittee shall grow on the premises of the farm
65 winery or on property under the same ownership and control of said
66 permittee or leased by the backer of a farm winery permit or by said
67 permittee within the farm winery's principal state an average crop of
68 fruit equal to not less than [twenty-five] twenty per cent of the fruit used
69 in the manufacture of the farm winery permittee's wine. An average
70 crop shall be defined each year as the average yield of the farm winery
71 permittee's two largest annual crops out of the preceding five years,
72 except that during the first seven years from the date of issuance of a
73 farm winery permit, an average crop shall be defined as three tons of
74 grapes for each acre of vineyard farmed by the farm winery permittee.
75 Such seven-year period shall not begin anew if the property for which
76 the farm winery permit is held is transferred or sold during such seven-
77 year period. In the event the farm winery consists of more than one
78 property, the aggregate acreage of the farm winery shall not be less than
79 five acres.

80 (B) If a farm winery permittee sustains a significant loss of the farm
81 winery permittee's crop of fruit, such farm winery permittee shall, not

82 later than December thirty-first of the year in which such farm winery
83 permittee sustains such significant loss, certify to the Commissioner of
84 Consumer Protection, in a form and manner prescribed by the
85 commissioner, that such farm winery permittee has sustained such
86 significant loss. If the commissioner determines, in the commissioner's
87 discretion, that such farm winery permittee sustained such significant
88 loss through no fault of such farm winery permittee, such farm winery
89 permittee's lost crop of fruit shall, for the year in which such farm
90 winery permittee sustained such significant loss, be deemed to satisfy
91 the average crop requirement established in subparagraph (A) of this
92 subdivision. For the purposes of this subparagraph, the commissioner
93 shall, in the commissioner's discretion, determine whether a qualitative
94 or quantitative reduction in crop yield suffered by a farm winery
95 permittee constitutes a significant loss.

96 (6) A holder of a manufacturer permit for a farm winery, when
97 advertising or offering wine for direct shipment to a consumer in this
98 state via the Internet or any other on-line computer network, shall
99 clearly and conspicuously state such liquor permit number in its
100 advertising.

101 (7) A holder of a manufacturer permit for a farm winery may sell and
102 offer free tastings of wine manufactured from such winery at a farmers'
103 market, as defined in section 22-6r, that is operated as a nonprofit
104 enterprise or association, provided such farmers' market invites such
105 holder to sell wine at such farmers' market and such holder has a
106 farmers' market wine sales permit issued by the Commissioner of
107 Consumer Protection in accordance with the provisions of section 30-
108 37o.

109 (8) A holder of a manufacturer permit for a farm winery may, with
110 the prior approval of the Department of Consumer Protection, sell wine,
111 brandies, grappa and eau-de-vie manufactured by such farm winery
112 permittee at not more than three retail outlets in addition to such farm
113 winery permittee's permit premises, provided (A) each such retail outlet
114 is located on land that is leased or owned by the backer of the farm

115 winery permit and such farm winery permittee utilizes such land to
116 grow fruit and produce alcoholic beverages manufactured exclusively
117 by the farm winery, and (B) no such retail outlet is located within a
118 grocery store, as defined in section 30-20, or any other retail outlet unless
119 otherwise permitted under the general statutes.

120 (9) The annual fee for a manufacturer permit for a farm winery shall
121 be three hundred dollars.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2025	30-16(c)

GL *Joint Favorable*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact: None

Municipal Impact: None

Explanation

The bill reduces from 25% to 20% the minimum average crop requirement for a farm winery permittee resulting in no fiscal impact to the state.

The Out Years

State Impact: None

Municipal Impact: None

OLR Bill Analysis**HB 5361*****AN ACT CONCERNING THE SOURCE OF THE FRUIT USED BY FARM WINERY PERMITTEES TO MANUFACTURE WINE.*****SUMMARY**

This bill reduces, from 25% to 20%, the minimum average crop requirement of the fruit that a farm winery permittee must grow on land he or she controls and uses in manufacturing their wine.

Under existing law, an “average crop” is defined each year as the average yield of the permittee’s two largest annual crops out of the preceding five years. But during the first seven years after a farm winery permit is issued, the average crop is calculated as three tons of grapes for each vineyard acre farmed, which is usually a lower threshold.

EFFECTIVE DATE: July 1, 2025

COMMITTEE ACTION

General Law Committee

Joint Favorable

Yea 22 Nay 0 (03/12/2025)