

# HB593 INTRODUCED



1 HB593  
2 W1XYWE9-1  
3 By Representative Whitt  
4 RFD: Economic Development and Tourism  
5 First Read: 10-Mar-26



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

SYNOPSIS:

Under existing law, the Alabama Brewpub Act authorizes brewpubs to manufacture and sell beer for on-premises consumption and to wholesalers for resale under certain conditions.

This bill would expand and rename the law as the Alabama Small Craft Alcoholic Beverages Act to include small craft distilleries and small craft wineries as new license categories, as well as a new small craft alcoholic beverage manufacturer license that authorizes a brewpub, small craft distillery, and small craft winery, or any combination of these, to operate within a contiguous area and sell their alcoholic beverages for on-site consumption.

This bill would permit a brewpub, small craft distillery, and small craft winery to host tours of the manufacturing operation and to provide tasting samples to patrons.

This bill would allow a brewpub, small craft distillery, or small craft winery to sell products for consumption off-premises at a limited number of public events.

This bill would further allow a brewpub, small craft distillery, small craft winery, or any licensed manufacturer of alcoholic beverages, to maintain a



## HB593 INTRODUCED

29 storage extension separate from the licensed  
30 manufacturing premises.

31 This bill would also set qualifications for  
32 licensure and would authorize the Alcoholic Beverage  
33 Control Board to administer and enforce the act.

34

35

36 A BILL

37 TO BE ENTITLED

38 AN ACT

39

40 Relating to alcoholic beverages; to amend Sections  
41 28-4A-1 through 28-4A-6, Code of Alabama 1975, and redesignate  
42 these sections as Article 1 of Chapter 4A of Title 28, Code of  
43 Alabama 1975; to add Sections 28-4A-7, 28-4A-8, 28-4A-9 to  
44 Article 1 of Chapter 4A of Title 28, Code of Alabama 1975; to  
45 add Articles 2, 3, and 4 to Chapter 4A of Title 28, Code of  
46 Alabama 1975; to create the Alabama Small Craft Alcoholic  
47 Beverages Act; to create new categories of licenses for small  
48 craft distilleries and small craft wineries and create a new  
49 license for small craft alcoholic beverage manufacturers that  
50 operate a brewpub, small craft winery, or small craft  
51 distillery or any combination of these; to provide for  
52 qualifications and license requirements; to permit a brewpub,  
53 small craft winery, or small craft distillery to allow tours  
54 of their manufacturing facilities; to provide for sales by a  
55 brewpub, small craft winery, or small craft distillery, at  
56 off-premises events open to the public; to provide that a



## HB593 INTRODUCED

57 brewpub, small craft winery, or small craft distillery, or any  
58 other alcoholic beverage manufacturer, may maintain a storage  
59 facility off the licensed manufacturing premises; to require  
60 the Alcoholic Beverage Control Board to administer and enforce  
61 the act; and to amend Section 28-3A-13.1, Code of Alabama  
62 1975, to make conforming changes.

63 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

64 Section 1. Sections 28-4A-1 through 28-4A-6, Code of  
65 Alabama 1975, are designated as Article 1 of Chapter 4A of  
66 Title 28 and are amended to read as follows:

67 Article 1. General Provisions; Small Craft Alcoholic  
68 Beverage manufacturers.

69 "§28-4A-1

70 This chapter shall be known as and may be cited as the  
71 "Alabama ~~Brewpub~~ Small Craft Alcoholic Beverages Act."

72 "§28-4A-2

73 (a) The ~~words and phrases~~ terms used in this chapter  
74 shall have the meanings ascribed to them as defined in Section  
75 ~~28-3-1, and any acts amendatory thereof, supplementary thereto~~  
76 ~~or substituted therefor.~~

77 (b) ~~The~~ For purposes of this chapter, the following  
78 ~~words or phrases, whenever they appear in this chapter, unless~~  
79 ~~the context clearly indicates otherwise, shall have the~~  
80 ~~meaning ascribed to them in this subsection~~ terms have the  
81 following meanings:

82 (1) BREWPUB. Any premises upon which beer is actively  
83 and continuously manufactured or brewed, subject to the barrel  
84 production limitation prescribed in ~~this chapter~~ Article 2, for



## HB593 INTRODUCED

85 consumption on the premises where manufactured, or for sale to  
86 any designated wholesaler licensee for resale to retail  
87 licensees.

88 (2) HYBRID CRAFT ALCOHOLIC BEVERAGE COMPLEX. A campus  
89 or area upon which a brewpub, a small craft distillery, and a  
90 small craft winery, or any combination of these, operate under  
91 one license issued by the board pursuant to this article.

92 ~~(2)~~ (3) PREMISES. Any building, or structure, or portion  
93 thereof, designated as a historic building and site as defined  
94 in Section 40-8-1, or located in a registered historic  
95 district or located in any economically distressed area  
96 designated as suitable by the municipal or county governing  
97 body, in which is located the operations of a brewpub, a small  
98 craft distillery, or a small craft winery.

99 (4) SMALL CRAFT DISTILLERY. Any premises upon which  
100 liquor is actively and continuously manufactured or distilled,  
101 subject to the production volume limitation prescribed in  
102 Article 3, for consumption on the premises where manufactured,  
103 or for sale to the board or a liquor wholesaler licensee for  
104 resale to retail licensees.

105 (5) SMALL CRAFT WINERY. Any premises upon which table  
106 wine is actively and continuously manufactured, subject to the  
107 production volume limitation prescribed in Article 4, for  
108 consumption on the premises where manufactured, or for sale to  
109 any designated wine wholesaler licensee for resale to retail  
110 licensees."

111 "§28-4A-3

112 ~~(a) In addition to the licenses authorized to be issued~~



## HB593 INTRODUCED

113 ~~and renewed by the board pursuant to the Alcoholic Beverage~~  
114 ~~Licensing Code codified as Chapter 3A of this title, the~~  
115 ~~board, upon applicant's compliance with this chapter, Chapter~~  
116 ~~3A, and the rules adopted thereunder, and the conditions set~~  
117 ~~forth in subsection (b), may issue to a qualified applicant a~~  
118 ~~brewpub license which shall authorize the licensee to do all~~  
119 ~~of the following:~~

120 ~~(1) Manufacture or brew beer, in a quantity not to~~  
121 ~~exceed 10,000 barrels in any one year, and to sell beer brewed~~  
122 ~~on the licensed premises in unpackaged form at retail for~~  
123 ~~on-premises consumption at the licensed premises only.~~

124 ~~(2) Sell beer brewed on the licensed premises in~~  
125 ~~packaged form at retail for off-premises consumption, provided~~  
126 ~~the beer sold for off-premises consumption may not exceed 864~~  
127 ~~ounces per customer per day and shall be sealed, labeled,~~  
128 ~~packaged, and taxed in accordance with state and federal laws~~  
129 ~~and regulations.~~

130 ~~(3) Sell beer brewed on the premises in original,~~  
131 ~~unopened barrel or keg containers to any licensed wholesaler~~  
132 ~~designated by a brewpub licensee pursuant to Sections 28-8-2~~  
133 ~~and 28-9-3 for resale to retail licensees.~~

134 ~~(4) Donate and deliver up to 31 gallons of the~~  
135 ~~licensee's beer to a licensed charitable special event~~  
136 ~~operated by or on behalf of a nonprofit organization;~~  
137 ~~provided, however, donations shall be taxed in accordance with~~  
138 ~~state and federal laws and regulations, and any beer remaining~~  
139 ~~at the conclusion of the charitable event shall be returned to~~  
140 ~~the brewpub for disposal.~~



## HB593 INTRODUCED

141 ~~(5) Purchase beer, including draft or keg beer, in~~  
142 ~~original, unopened containers from licensed wholesalers and to~~  
143 ~~sell such beer at retail for on-premises consumption only, in~~  
144 ~~a room or rooms or place on the licensed premises at all times~~  
145 ~~accessible to the use and accommodation of the general public.~~

146 ~~(b) A brewpub is subject to all of the following~~  
147 ~~conditions:~~

148 ~~(1) The proposed location of the premises shall not, at~~  
149 ~~the time of the original application, be prohibited by a valid~~  
150 ~~zoning ordinance or other ordinance in the valid exercise of~~  
151 ~~police power by the governing body of the municipality or~~  
152 ~~county in which the brewpub is located.~~

153 ~~(2) Beer brewed by the brewpub licensee shall be~~  
154 ~~packaged or contained in barrels from which the beer is to be~~  
155 ~~dispensed only on the premises where brewed for consumption on~~  
156 ~~the premises or sold in original, unopened barrel or keg~~  
157 ~~containers to any designated wholesaler licensee for resale to~~  
158 ~~retailer licensees.~~

159 ~~(3) The brewpub must contain and operate a restaurant~~  
160 ~~or otherwise provide food for consumption on the premises.~~

161 ~~(4) The brewpub may not sell any alcoholic beverages if~~  
162 ~~it is not actively and continuously engaged in the manufacture~~  
163 ~~or brewing of alcoholic beverages on the brewpub's licensed~~  
164 ~~premises.~~

165 ~~(c) The annual license fee levied and prescribed for a~~  
166 ~~license as a brewpub issued or renewed by the board is one~~  
167 ~~thousand dollars (\$1,000).~~

168 ~~(d) A manufacturer that sells, on an annual basis, an~~



## HB593 INTRODUCED

169 ~~amount equal to no more than 60,000 barrels of beer, may have~~  
170 ~~a financial interest in a brewpub, including a brewpub that~~  
171 ~~also has a restaurant retail license, provided the~~  
172 ~~manufacturer may not transfer alcoholic beverages directly~~  
173 ~~from the manufacturer to the brewpub, but may purchase~~  
174 ~~alcoholic beverages from an authorized wholesaler or as~~  
175 ~~otherwise provided by law, and may not have a financial~~  
176 ~~interest in any retailer other than a brewpub.~~

177 ~~(c) Section 28-3-4 and subsection (b) of Section~~  
178 ~~28-3A-6 shall not be applicable with regard to beer brewed by~~  
179 ~~either of the following and sold and dispensed on the brewpub~~  
180 ~~premises:~~

181 ~~(1) The brewpub.~~

182 ~~(2) A manufacturer described in, and in compliance~~  
183 ~~with, subsection (d).~~

184 (a) In addition to the licenses provided for in  
185 Articles 2 through 4, the board may issue a hybrid craft  
186 alcoholic beverage complex license to any person licensed as a  
187 brewpub, small craft distillery, or small craft winery, or who  
188 meets the qualification for licensure as a brewpub, a small  
189 craft distillery, or a small craft winery, and who meets the  
190 qualifications in subsection (b). A hybrid craft alcoholic  
191 beverage complex license shall authorize the licensee to  
192 operate a brewpub, a small craft winery, or a small craft  
193 distillery, or any combination of these.

194 (b) To qualify as a hybrid craft alcoholic beverage  
195 complex:

196 (1) The applicant must meet the license qualifications



## HB593 INTRODUCED

197 under Article 2, 3, or 4, as applicable, corresponding to the  
198 type or types of alcoholic beverages the applicant intends to  
199 manufacture; and

200 (2) Each type of alcoholic beverage must be  
201 manufactured on a separate premises, as determined, by rule,  
202 by the board, but all the properties upon which the premises  
203 are located must be contiguous and walkable.

204 (c) If the applicant already holds a valid, current  
205 license under Article 2, 3, or 4 when making application for a  
206 license under this section, the board may convert the existing  
207 license into a hybrid craft alcoholic beverage complex  
208 license.

209 (d) (1) The annual license fee levied and prescribed for  
210 a license as a hybrid craft alcoholic beverage complex issued  
211 or renewed by the board is two thousand dollars (\$2,000).

212 (2) Notwithstanding subdivision (1), if the board  
213 converts an existing license into a hybrid craft alcoholic  
214 beverage complex license, the initial license fee shall be one  
215 thousand dollars (\$1,000) and each annual renewal fee shall be  
216 as provided in subdivision (1)."

217 "§28-4A-4

218 ~~(a) In addition to the licenses provided for by this~~  
219 ~~chapter and any county or municipal license, there is levied~~  
220 ~~on the brewpub for on-premises sales of beer brewed by the~~  
221 ~~brewpub licensee the privilege or excise taxes imposed by~~  
222 ~~Sections 28-3-184 and 28-3-190. Every brewpub licensee shall~~  
223 ~~file the tax returns, pay the taxes, and perform all~~  
224 ~~obligations imposed on wholesalers at the times and places set~~



## HB593 INTRODUCED

225 ~~forth therein. It shall be unlawful for any brewpub licensee~~  
226 ~~who is required to pay the taxes so imposed in the first~~  
227 ~~instance to fail or refuse to add to the sales price and~~  
228 ~~collect from the purchaser the required amount of tax, it~~  
229 ~~being the intent and purpose of this provision that each of~~  
230 ~~the taxes levied is in fact a tax on the consumer, with the~~  
231 ~~brewpub licensee who pays the tax in the first instance acting~~  
232 ~~merely as an agent of the state for the collection and payment~~  
233 ~~of the tax levied by Section 28-3-184 and as an agent of the~~  
234 ~~county or municipality for the collection and payment of the~~  
235 ~~tax levied by Section 28-3-190. Taxes on beer shall be levied~~  
236 ~~at the time the beer is allocated for the purpose of retail~~  
237 ~~sale and not at the time the beer is dispensed for~~  
238 ~~consumption.~~

239 ~~(b) The brewpub shall be required to keep and maintain~~  
240 ~~all of the records otherwise required to be kept and~~  
241 ~~maintained by manufacturer, wholesaler, and retailer~~  
242 ~~licensees.~~

243 ~~(c) The brewpub shall appoint a licensed wholesaler~~  
244 ~~designee in order to preserve Section 28-9-1. In addition, for~~  
245 ~~on-premises sales of beer brewed by the brewpub licensee, the~~  
246 ~~brewpub shall be exempt from Sections 28-9-3 through 28-9-11.~~

247 The board may adopt rules to administer and enforce  
248 this chapter."

249 "§28-4A-5

250 ~~A violation of any provision of this chapter shall~~  
251 ~~constitute an unlawful act. A finding by the board that the~~  
252 The board shall revoke the license of a brewpub, ~~licensee is~~



## HB593 INTRODUCED

253 ~~guilty of violating any provision of~~ a small craft distillery,  
254 a small craft winery, or a hybrid craft alcoholic beverage  
255 complex if the board makes a finding that the licensee  
256 violated this chapter ~~shall effect an automatic revocation of~~  
257 ~~the license."~~

258 "§28-4A-6

259 The Legislature finds that it is in the best interest  
260 of the public welfare of the State of Alabama to preserve and  
261 redevelop the downtown municipal areas and registered historic  
262 districts and certain economically distressed areas of this  
263 state and to further promote the preservation and  
264 redevelopment of historic buildings and sites. The Legislature  
265 finds that an effective way of facilitating the urban  
266 redevelopment program and the preservation of historic  
267 buildings and sites, and registered historic districts and any  
268 economically distressed area designated as suitable by the  
269 municipal or county governing body is by creating a single  
270 exception to the existing alcoholic beverage laws to authorize  
271 and permit the establishment of brewpubs, small craft  
272 wineries, and small craft distilleries located in such  
273 historic buildings, sites, or districts in urban redevelopment  
274 areas or economically distressed areas of those municipalities  
275 ~~located within counties where the brewing of beer for~~  
276 ~~consumption by the public had historically been located~~ or  
277 counties. The policy and intent of the Legislature in the  
278 enactment of this chapter is to promote the public welfare by  
279 further regulating and controlling alcoholic beverage  
280 transactions in Alabama under the control and supervision of



## HB593 INTRODUCED

281 the Alabama Alcoholic Beverage Control Board to accomplish  
282 this legislative purpose ~~set forth herein.~~"

283 Section 2. Sections 28-4A-7, 28-4A-8, and 28-4A-9 are  
284 added to Article 1 of Chapter 4A of Title 28, Code of Alabama  
285 1975, to read as follows:

286 §28-4A-7

287 (a) A license issued under this article, or under  
288 Article 2, 3, or 4, authorizes the licensee to afford patrons  
289 the opportunity to participate in a guided tour of the  
290 distillery, brewery, or winery manufacturer operations as  
291 applicable, if the tour includes an educational component in  
292 which an in-person guide informs patrons about the historic  
293 and scientific characteristics of the alcoholic beverage  
294 manufactured on the licensed premises.

295 (b) A licensee may offer a tasting or sampling of the  
296 alcoholic beverage manufactured on the licensed premises upon  
297 conclusion of the tour in accordance with all of the following  
298 requirements:

299 (1) A tasting session shall be in a designated,  
300 enclosed area that is separate from all other designated areas  
301 on the licensed premises.

302 (2) A patron may tour the manufacturing operation of  
303 more than one type of alcoholic beverage manufactured by the  
304 licensee, but may participate in no more than one tasting  
305 session per day.

306 (3) The price of the tasting or sampling must be  
307 included in the price charged to patrons over 21 years of age  
308 for the guided tour.



## HB593 INTRODUCED

309 (4) No retail sale of an alcoholic beverage, whether  
310 for on-premises or off-premises consumption, shall be  
311 authorized pursuant to a tour.

312 (5) Each session shall be limited to no more than two  
313 tastings or samplings, each of which:

314 a. In the case of liquor, shall not exceed one-half  
315 ounce, with or without a nonalcoholic mixer;

316 b. In the case of beer, shall not exceed four ounces;  
317 and

318 c. In the case of table wine, shall not exceed one and  
319 one-half ounce.

320 §28-4A-8

321 (a) For purposes of this section, a "public event" is  
322 any event sponsored by a private or nonprofit organization  
323 lasting no longer than three consecutive days, to which the  
324 public is invited, whether free or upon payment for admission,  
325 including, but not limited to, a farmers market, music  
326 festival, art festival, or other exhibition to which vendors  
327 may be invited to display and sell their products.

328 (b) (1) Upon application to the board upon a form  
329 prescribed by the board, at least 20 days in advance of the  
330 event and accompanied by a nonrefundable fee not to exceed one  
331 hundred fifty dollars (\$150), the board may issue a tasting  
332 room extension license to an applicant that is licensed under  
333 this chapter.

334 (2) A tasting room extension license issued to a  
335 licensee under this chapter authorizes the recipient to do all  
336 of the following with respect to an alcoholic beverage



## HB593 INTRODUCED

337 manufactured on the recipient's premises at a public event:

338 a. Dispense samples of the alcoholic beverage to event  
339 attendees from an original container, of no more than one-half  
340 ounce in the case of liquor, four ounces in the case of beer,  
341 and one and one-half ounces in the case of table wine.

342 b. Sell the alcoholic beverage at retail, packaged for  
343 consumption off the event site in accordance with state and  
344 federal laws and regulations, including, but not limited to,  
345 federal regulations related to standard of fill:

346 1. For liquor, in bottles not to exceed a total of 4.5  
347 liters per customer per day;

348 2. For beer, in bottles or cans not to exceed a total  
349 of 864 ounces per customer per day; or

350 3. For table wine, a total not to exceed twelve  
351 750-milliliter bottles per customer per day.

352 (c) A tasting room extension licensee may not sell any  
353 alcoholic beverage to retailers or sell alcoholic beverages  
354 that the licensee does not manufacture.

355 (d) A tasting room extension licensee who is licensed  
356 pursuant to this article may only dispense samples or sell for  
357 consumption pursuant to subsection (b), one type of alcoholic  
358 beverage which it manufactures.

359 (e) The board may issue a tasting room extension  
360 license upon submission by the applicant of the following:

361 (1) Proof of compliance with any municipal or county  
362 license or permit requirement.

363 (2) Proof of registration as acknowledged by the event  
364 sponsor, including payment of a booth fee.



## HB593 INTRODUCED

365 (3) Proof of liquor liability insurance, including a  
366 written statement from the applicant's liquor liability  
367 insurer that the applicant's existing policy covers the  
368 activities of the applicant at the public event.

369 (f) Any licensee under this chapter shall be limited to  
370 no more than 12 tasting room extension licenses per calendar  
371 year.

372 (g) (1) A tasting room extension licensee shall collect  
373 and remit all state and local sales and use taxes and all  
374 excise and other taxes due, pursuant to Article 2, 3, or 4 as  
375 applicable, on the sale of the alcoholic beverage by the  
376 participant licensee to customers at retail.

377 (2) Notwithstanding subdivision (1), a tasting room  
378 extension licensee that also sells an alcoholic beverage at  
379 retail, in a method and manner established by the Department  
380 of Revenue, may include the collection and remittance of all  
381 state taxes due on the sale of the alcoholic beverage sold at  
382 the public event in the same method and manner as other sales  
383 of the same alcoholic beverage at retail.

384 (h) The board is authorized to adopt rules and  
385 prescribe forms to implement and enforce this section.

386 §28-4A-9

387 (a) For purposes of this section, a "licensed  
388 manufacturer" includes a manufacturer who is licensed pursuant  
389 to this chapter or Section 28-3A-6.

390 (b) Upon approval of the board, a licensed manufacturer  
391 may be allowed one off-premises manufacturer extension  
392 location for the exclusive storage of finished and unfinished



## HB593 INTRODUCED

393 goods pursuant to the requirements of subsection (c).

394 (c) An application for approval of an off-premises  
395 manufacturer extension location shall include:

396 (1) Documentation of approval of the manufacturer  
397 extension by the Alcohol and Tobacco Tax and Trade Bureau;

398 (2) A lease, deed, or other document showing control of  
399 the property by the licensed manufacturer; and

400 (3) A current license issued by the board.

401 (d) The application for an off-premises manufacturing  
402 extension must be approved by the board before it is put into  
403 use by the manufacturer licensee.

404 (e) An off-premises manufacturing extension is subject  
405 to all of the following conditions:

406 (1) The extension may not be located outside of the  
407 state.

408 (2) The extension may not be used for the exportation  
409 of products nor for any form of distribution of products  
410 within the state.

411 (3) The extension may not be located more than 10 miles  
412 from the licensed manufacturer's premises.

413 (4) No sales, sampling, or tastings of any alcoholic  
414 beverage shall be allowed at the extension.

415 (5) The extension premises shall be secured at all  
416 times.

417 (f) Authorized representatives of the board or law  
418 enforcement officers of the state, or the county or  
419 municipality in which the manufacturer extension premises is  
420 located, may enter and search, without a warrant, the



## HB593 INTRODUCED

421 extension premises. The extension premises encompasses any  
422 building owned or occupied by the licensee that adjoins, is  
423 adjacent to, or is otherwise part of the curtilage of the  
424 premises, including a building used as a private dwelling.

425 (g) The licensed manufacturer shall maintain all  
426 records related to the disposition of the finished or  
427 unfinished goods stored in the off-premises extension, as  
428 applicable.

429 (h) The finished and unfinished goods may be  
430 transported in bond from the licensed manufacturer's original  
431 premises to the extension location for storage. Transportation  
432 shall be made by the licensee or an employee of the same in a  
433 vehicle bearing signage on each side identifying the licensee.  
434 Included in the transportation vehicle shall be a current copy  
435 of the board's approval of the extension and the bill of  
436 lading or other documentation of ownership of the product  
437 being transported.

438 Section 3. A new Article 2, commencing with Section  
439 28-4A-20; Article 3, commencing with Section 28-4A-40; and  
440 Article 4, commencing with Section 28-4A-60, are added to  
441 Chapter 4A of Title 28, Code of Alabama 1975, to read as  
442 follows:

443 Article 2. Brewpubs.

444 §28-4A-20

445 (a) In addition to the licenses authorized to be issued  
446 and renewed by the board pursuant to Chapter 3A, the board,  
447 upon the applicant's compliance with this article, Chapter 3A,  
448 and the rules adopted thereunder, and the conditions set forth



## HB593 INTRODUCED

449 in subsection (b), may issue to a qualified applicant a  
450 brewpub license that shall authorize the licensee to do all of  
451 the following:

452 (1) Manufacture or brew beer, in a quantity not to  
453 exceed 10,000 barrels in any one year, and sell beer brewed on  
454 the licensed premises in unpackaged form at retail for  
455 on-premises consumption at the licensed premises only.

456 (2) Sell beer brewed on the licensed premises in  
457 packaged form at retail for off-premises consumption, provided  
458 the beer sold for off-premises consumption may not exceed 864  
459 ounces per customer per day and shall be sealed, labeled,  
460 packaged, and taxed in accordance with state and federal laws,  
461 rules, and regulations.

462 (3) Sell beer brewed on the premises in original,  
463 unopened barrel or keg containers or in other original,  
464 unopened containers to any licensed beer wholesaler designated  
465 by a brewpub licensee pursuant to Sections 28-8-2 and 28-9-3  
466 for resale to retail licensees.

467 (4) Donate and deliver up to 31 gallons of the  
468 licensee's beer to a licensed charitable special event  
469 operated by or on behalf of a nonprofit organization.  
470 Donations shall be taxed in accordance with state and federal  
471 laws, rules, and regulations, and any beer remaining at the  
472 conclusion of the charitable event shall be returned to the  
473 brewpub for disposal.

474 (5) Purchase beer, including draft or keg beer, in  
475 original, unopened containers from licensed wholesalers and  
476 sell the beer at retail, for on-premises consumption only, in



## HB593 INTRODUCED

477 a room or rooms or place on the licensed premises at all times  
478 accessible to the use and accommodation of the general public.

479 (b) A brewpub is subject to all of the following  
480 conditions:

481 (1) The proposed location of the premises, at the time  
482 of the original application, shall not be prohibited by a  
483 valid zoning ordinance or other ordinance in the valid  
484 exercise of police power by the governing body of the  
485 municipality or county in which the brewpub is located.

486 (2) Beer brewed by the brewpub licensee shall be  
487 packaged or contained in barrels from which the beer is to be  
488 dispensed only on the premises where brewed for consumption on  
489 the premises, or sold in original, unopened barrel or keg  
490 containers or in packaged form to any designated wholesaler  
491 licensee for resale to retailer licensees.

492 (3) A brewpub must contain and operate a restaurant or  
493 otherwise provide food for consumption on the premises.

494 (4) A brewpub may not sell any alcoholic beverages if  
495 the brewpub is not actively and continuously engaged in the  
496 manufacture or brewing of beer on the brewpub's licensed  
497 premises.

498 (c) The annual license fee levied and prescribed for a  
499 license as a brewpub issued or renewed by the board is one  
500 thousand dollars (\$1,000).

501 (d) A manufacturer that sells, on an annual basis, an  
502 amount equal to no more than 60,000 barrels of beer, may have  
503 a financial interest in a brewpub, including a brewpub that  
504 also has a restaurant retail license, provided the



## HB593 INTRODUCED

505 manufacturer may not transfer alcoholic beverages directly  
506 from the manufacturer to the brewpub, but may purchase  
507 alcoholic beverages from an authorized wholesaler or as  
508 otherwise provided by law, and may not have a financial  
509 interest in any retailer other than a brewpub.

510 (e) Sections 28-3-4 and 28-3A-6(b) shall not be  
511 applicable with regard to beer brewed by either of the  
512 following and sold and dispensed on the brewpub premises:

513 (1) The brewpub.

514 (2) A manufacturer described in, and in compliance  
515 with, subsection (d).

516 §28-4A-21

517 (a) In addition to the licenses provided for by this  
518 chapter and any county or municipal license, there is levied  
519 on the brewpub licensee for on-premises sales of beer brewed  
520 by the brewpub licensee the privilege or excise taxes imposed  
521 by Sections 28-3-184 and 28-3-190. Every brewpub licensee  
522 shall file the tax returns, pay the taxes, and perform all  
523 obligations imposed on wholesalers at the times and places set  
524 forth therein. It shall be unlawful for any brewpub licensee  
525 who is required to pay the taxes so imposed in the first  
526 instance to fail or refuse to add to the sales price and  
527 collect from the purchaser the required amount of tax, it  
528 being the intent and purpose of this provision that each of  
529 the taxes levied is in fact a tax on the consumer, with the  
530 brewpub licensee who pays the tax in the first instance acting  
531 merely as an agent of the state for the collection and payment  
532 of the tax levied by Section 28-3-184 and as an agent of the



## HB593 INTRODUCED

533 county or municipality for the collection and payment of the  
534 tax levied by Section 28-3-190. Taxes on beer shall be levied  
535 at the time the beer is allocated for the purpose of retail  
536 sale and not at the time the beer is dispensed for  
537 consumption.

538 (b) The brewpub shall keep and maintain all of the  
539 records otherwise required to be kept and maintained by  
540 manufacturer, wholesaler, and retailer licensees.

541 (c) The brewpub shall appoint a licensed wholesaler  
542 designee in order to preserve Section 28-9-1. In addition, for  
543 on-premises sales of beer brewed by the brewpub licensee, the  
544 brewpub shall be exempt from Sections 28-9-3 through 28-9-11.

545 Article 3. Small Craft Distilleries.

546 §28-4A-40

547 (a) In addition to the licenses authorized to be issued  
548 and renewed by the board pursuant to Chapter 3A, the board,  
549 upon the applicant's compliance with this article, Chapter 3A,  
550 and the rules adopted thereunder, and the conditions set forth  
551 in subsection (b), may issue to a qualified applicant a small  
552 craft distillery license which shall authorize the licensee to  
553 do all of the following:

554 (1) Distill liquor, in a quantity not to exceed 99,999  
555 gallons in any one year, and sell liquor distilled on the  
556 licensed premises in unpackaged form at retail for on-premises  
557 consumption at the licensed premises only.

558 (2) Sell liquor distilled on the licensed premises in  
559 original, unopened containers at retail for off-premises  
560 consumption, provided the liquor sold for off-premises



## HB593 INTRODUCED

561 consumption may not exceed 4.5 liters per customer per day and  
562 shall be sealed, labeled, packaged, and taxed in accordance  
563 with state and federal laws, rules, and regulations.

564 (3) Sell liquor distilled on the premises in original,  
565 unopened containers to the board or to a licensed liquor  
566 wholesaler for resale to retail licensees.

567 (4) Donate and deliver up to 4.5 liters of the  
568 licensee's liquor to a licensed charitable special event  
569 operated by or on behalf of a nonprofit organization.  
570 Donations shall be taxed in accordance with state and federal  
571 laws, rules, and regulations. Any liquor remaining at the  
572 conclusion of the charitable event shall be returned to the  
573 small craft distillery for disposal.

574 (5) Purchase liquor in original, unopened containers  
575 from the board or licensed liquor wholesalers and sell the  
576 liquor at retail, for on-premises consumption only, in a room  
577 or rooms or place on the licensed premises at all times  
578 accessible to the use and accommodation of the general public.

579 (b) A small craft distillery is subject to all of the  
580 following conditions:

581 (1) The proposed location of the premises, at the time  
582 of the original application, shall not be prohibited by a  
583 valid zoning ordinance or other ordinance in the valid  
584 exercise of police power by the governing body of the  
585 municipality or county in which the small craft distillery is  
586 located.

587 (2) Liquor distilled by the licensee shall be packaged  
588 and sold in any original or unopened containers as approved by



## HB593 INTRODUCED

589 the board and in accordance with the standards of fill  
590 requirements prescribed by the U.S. Department of the Treasury  
591 or contained in barrels or kegs from which the liquor is to be  
592 dispensed only on the premises where distilled for consumption  
593 on the premises.

594 (3) A small craft distillery may not sell any liquor if  
595 the small craft distillery is not actively and continuously  
596 engaged in the distilling of liquor on the licensed premises.

597 (c) The annual license fee levied and prescribed for a  
598 license as a small craft distillery issued or renewed by the  
599 board is one thousand dollars (\$1,000).

600 (d) Sections 28-3-4 and 28-3A-6(b) shall not be  
601 applicable with regard to liquor distilled by the small craft  
602 distillery and sold and dispensed on the licensed premises.

603 §28-4A-41

604 (a) (1) In addition to the licenses provided for by this  
605 chapter and any county or municipal license, there is levied  
606 and assessed upon all liquor distilled on the premises of a  
607 licensee which is dispensed or sold at retail for on-premises  
608 or off-premises consumption the mark up in accordance with  
609 Section 28-3-53.2(c) and added to the list or FOB price; and  
610 the privilege or excise tax imposed on liquor by Sections  
611 28-3-200 through 28-3-205. Taxes and mark up described in this  
612 subsection shall be remitted by the licensee to the board. The  
613 taxes collected shall be distributed in the same manner as the  
614 taxes collected in a state liquor store.

615 (2) The tax levied in this subsection shall be  
616 collected by a return which shall be filed by the licensee



## HB593 INTRODUCED

617 with the board postmarked not later than the last day of the  
618 month following the month of production or sale of liquor,  
619 which shall be accompanied by the remittance of the tax due.  
620 The report shall include, but not be limited to, a  
621 consolidated report of all liquor distilled, sold, or  
622 otherwise consumed on the licensed premises. The report shall  
623 be in the form and containing information as the board may  
624 prescribe.

625 (3) If a licensee fails to file any return required to  
626 be filed with the board on or before the date prescribed in  
627 subdivision (2), including any written extension of time  
628 granted by the board in advance, there shall be assessed as a  
629 penalty the greater of 10 percent of any additional tax  
630 required to be paid with the return or fifty dollars (\$50).

631 (4) If a licensee fails to pay to the board the amount  
632 of the tax due on a return required to be filed on or before  
633 the date prescribed for payment of the tax, including any  
634 written extension of time granted by the board in advance,  
635 there shall be added as a penalty 10 percent of the unpaid  
636 amount due on the return.

637 (5) Interest shall be added to any tax due to the board  
638 which is not paid by the due date, from the due date of the  
639 tax, computed based on the underpayment rate established by  
640 the Secretary of the Treasury under the authority of 26 U.S.C.  
641 § 6621.

642 (b) A small craft distillery shall be required to keep  
643 and maintain all of the records otherwise required to be kept  
644 and maintained by manufacturer, wholesaler, and retailer



## HB593 INTRODUCED

645 licensees.

646 Article 4. Small Craft Wineries.

647 §28-4A-60

648 (a) In addition to the licenses authorized to be issued  
649 and renewed by the board pursuant to Chapter 3A, the board,  
650 upon the applicant's compliance with this article, Chapter 3A,  
651 and the rules adopted thereunder, and the conditions set forth  
652 in subsection (b), may issue to a qualified applicant a small  
653 craft winery license which shall authorize the licensee to do  
654 all of the following:

655 (1) Manufacture or produce table wine, in a quantity  
656 not to exceed 99,999 gallons in any one year, and sell wine  
657 manufactured on the licensed premises at retail for  
658 on-premises consumption at the licensed premises only.

659 (2) Sell table wine manufactured on the licensed  
660 premises in original, unopened containers at retail for  
661 off-premises consumption, provided the wine sold for  
662 off-premises consumption may not exceed twelve 750-milliliter  
663 bottles per customer per day and shall be sealed, labeled,  
664 packaged, and taxed in accordance with state and federal laws,  
665 rules, and regulations.

666 (3) Sell table wine manufactured on the premises in  
667 original, unopened containers to any licensed wine wholesaler  
668 designated by a small craft winery licensee pursuant to  
669 Section 28-8A-4 for resale to retail licensees.

670 (4) Donate and deliver up to two cases of the  
671 licensee's table wine to a licensed charitable special event  
672 operated by or on behalf of a nonprofit organization.



## HB593 INTRODUCED

673 Donations shall be taxed in accordance with state and federal  
674 laws, rules, and regulations. Any wine remaining at the  
675 conclusion of the charitable event shall be returned to the  
676 small craft winery for disposal.

677 (5) Purchase table wine in original, unopened  
678 containers from licensed wine wholesalers and sell the wine at  
679 retail for on-premises consumption only, in a room or rooms or  
680 place on the licensed premises at all times accessible to the  
681 use and accommodation of the general public.

682 (b) A small craft winery is subject to all of the  
683 following conditions:

684 (1) The proposed location of the premises, at the time  
685 of the original application, shall not be prohibited by a  
686 valid zoning ordinance or other ordinance in the valid  
687 exercise of police power by the governing body of the  
688 municipality or county in which the small craft distillery is  
689 located.

690 (2) Wine manufactured by the licensee shall be packaged  
691 and sold in any original containers as approved by the board  
692 and in accordance with the standards of fill requirements  
693 prescribed by the U.S. Department of the Treasury or contained  
694 in bottles to be dispensed only on the premises where  
695 fermented for consumption on the premises.

696 (3) A small craft winery may not sell any table wine if  
697 the small craft winery is not actively and continuously  
698 engaged in the production of table wine on the licensed  
699 premises.

700 (c) The annual license fee levied and prescribed for a



## HB593 INTRODUCED

701 license as a small craft winery issued or renewed by the board  
702 is one thousand dollars (\$1,000).

703 (d) Sections 28-3-4 and 28-3A-6(b) shall not be  
704 applicable with regard to wine manufactured by the small craft  
705 winery and sold and dispensed on the licensed premises.

706 §28-4A-61

707 (a) In addition to the licenses provided for by this  
708 chapter and any county or municipal license, there is levied  
709 on a small craft winery for on-premises and off-premises sales  
710 of table wine manufactured by the licensee privilege and  
711 excise tax pursuant to Section 28-7-16 due on the sale of  
712 table wine to consumers. Every small craft winery licensee  
713 shall file the tax returns, pay the taxes, and perform all  
714 obligations imposed on wholesalers at the times and places set  
715 forth therein. It shall be unlawful for any small craft winery  
716 licensee who is required to pay the taxes so imposed in the  
717 first instance to fail or refuse to add to the sales price and  
718 collect from the purchaser the required amount of tax, it  
719 being the intent and purpose of this provision that each of  
720 the taxes levied is in fact a tax on the consumer, with the  
721 small craft winery licensee who pays the tax in the first  
722 instance acting merely as an agent of the state for the  
723 collection and payment of the tax.

724 (b) A small craft winery shall be required to keep and  
725 maintain all of the records otherwise required to be kept and  
726 maintained by manufacturer, wholesaler, and retailer  
727 licensees.

728 (c) A small craft winery shall appoint a licensed



## HB593 INTRODUCED

729 wholesaler designee pursuant to Section 28-8A-4 for any table  
730 wine designated for resale to retail licensees.

731 Section 4. Section 28-3A-13.1, Code of Alabama 1975, is  
732 amended to make conforming changes to read as follows:

733 "§28-3A-13.1

734 (a) Any entity licensed by the board for off-premises  
735 consumption, restaurant licensee of the board, or valid and  
736 responsible organization of good reputation that is registered  
737 to do business in the state may apply for and be issued a  
738 delivery service license. In order to receive a license, an  
739 applicant shall do all of the following:

740 (1) File an application with the board.

741 (2) Pay a ~~non-refundable~~nonrefundable filing fee of  
742 one hundred dollars (\$100), and a license fee of two hundred  
743 fifty dollars (\$250).

744 (3) Provide to the board a sample contract that the  
745 applicant intends to enter into with a retailer for the  
746 delivery of beer, wine, and spirits, unless the applicant is  
747 the retailer.

748 (4)a. Provide to the board both of the following:

749 1. An attestation that the applicant is 21 years of age  
750 or older.

751 2. A true, correct, and complete criminal court record  
752 of all arrests and subsequent dispositions for the past three  
753 years. If the applicant has been convicted of a felony or a  
754 misdemeanor for a violation of Section 28-3A-25(a)(3), then  
755 the board shall reject the application and shall not issue a  
756 license.





## HB593 INTRODUCED

785 owned or leased by the delivery service licensee or an  
786 employee or independent contractor of the licensee.

787 (3) Any beer, wine, or spirits shall be delivered in a  
788 sealed unopened container.

789 (4) If the delivery service licensee is a restaurant,  
790 then any beer, wine, or spirits delivered by the licensee must  
791 be accompanied by a meal.

792 (5) If the delivery service licensee is a manufacturer  
793 or brewpub with off-premises retail privileges under Sections  
794 28-3A-6, 28-4A-3, 28-4A-20, 28-4A-40, 28-4A-60, or 28-7-18,  
795 the manufacturer or brewpub may deliver, directly from the  
796 manufacturer or brewpub to any individual in any single  
797 24-hour period, an amount not to exceed the amount that the  
798 manufacturer or brewpub is authorized to sell to each customer  
799 each day under Sections 28-3A-6 or 28-4A-3.

800 (6)a.1. Beer, with the exception of draft beer, may be  
801 delivered in any size container, provided that the total  
802 amount delivered does not exceed the equivalent of 120  
803 12-ounce containers of beer per customer in any single 24-hour  
804 period.

805 2. Draft beer may be sold in accordance with board  
806 rules in a total amount not to exceed 288 ounces per customer  
807 in any single 24-hour period, and may be delivered only where  
808 delivery has been authorized by resolution or ordinance of the  
809 local governing jurisdiction.

810 b. Wine may be sold in any size container, provided  
811 ~~that~~ the total amount delivered does not exceed 9,000  
812 milliliters or the equivalent of ~~12~~twelve 750-milliliter



## HB593 INTRODUCED

813 bottles of wine per customer in any single 24-hour period.

814 c. Spirits may be sold in any size bottle by an  
815 off-premises licensee~~r~~l, provided~~r~~l the total amount delivered  
816 does not exceed 9,000 milliliters per customer in any single  
817 24-hour period.

818 d. Spirits may be sold in any size bottle by a  
819 restaurant licensee~~r~~l, provided~~r~~l the total amount delivered  
820 does not exceed 375 milliliters per customer in any single  
821 24-hour period.

822 (7) Any employee or independent contractor delivering  
823 beer, wine, or spirits shall comply with all of the following:

824 a. Is at least 21 years of age.

825 b. Has a valid ~~driver's~~driver license.

826 c. Has, within the last 24 months, undergone a criminal  
827 history background check that includes driving records, and  
828 the results of which comply with all of the following:

829 1. The individual has not been convicted within the  
830 past seven years of driving under the influence.

831 2. The individual has not been convicted, at any time,  
832 of a crime involving a sexual offense, fraud, property damage,  
833 theft, an act of violence, or an act of terror.

834 3. The individual does not have a match on the National  
835 Sex Offender Registry.

836 d. Does not receive compensation based on whether an  
837 attempted delivery of beer, wine, or spirits results in a  
838 completed transaction.

839 e. Is trained and certified consistent with the  
840 training program submitted to the board as required by



## HB593 INTRODUCED

841 subdivision (a) (6), with documentation on file with the  
842 delivery service licensee. Upon request, the licensee shall  
843 provide this documentation to the board.

844 (8) A delivery service licensee may facilitate orders  
845 for the sale and delivery of beer, wine, or spirits by  
846 telephone, Internet, or by other electronic means~~7~~, provided~~7~~  
847 all of the following occur:

848 a. The delivery service licensee shall obtain from the  
849 customer a confirmation that he or she is at least 21 years of  
850 age at the time the order is placed.

851 b. The delivery service licensee shall ensure all  
852 payments have been processed for delivery prior to removing  
853 the alcoholic beverages from the licensed premises.

854 c. If the delivery service licensee is a retail  
855 licensee, any order for sale and delivery of beer, wine, or  
856 spirits received at the licensee's primary place of business  
857 or through a ~~third party~~ third-party licensee or facilitator  
858 shall be construed as a sale made at the licensee's primary  
859 place of business.

860 (9) Any delivery in a sealed package shall be stamped,  
861 printed, or labeled in a manner approved by the board, and  
862 that stamp, print, or label shall be prominently displayed on  
863 the outside of the sealed package to indicate in readily  
864 apparent font or type that the package contains alcohol and  
865 that the signature of an individual at least 21 years of age  
866 is required for delivery.

867 (10) A delivery service licensee shall require each  
868 recipient, at the time of delivery, to provide valid photo





## HB593 INTRODUCED

897 (14) A delivery service licensee may ~~deliver~~drive  
898 through a dry county or municipality to deliver, but may not  
899 deliver or cause a delivery to be made to an individual  
900 residing in a dry county or dry municipality. Every employee  
901 or independent contractor conducting a delivery shall maintain  
902 within the delivery vehicle evidence, electronic or otherwise,  
903 that the intended recipient of any alcoholic beverages is not  
904 located in a dry county or dry municipality.

905 (15) A delivery service licensee may deliver alcoholic  
906 beverages only during hours when alcoholic beverages may be  
907 sold under general or local law.

908 (16) A delivery service licensee may not deliver any  
909 alcoholic beverage to any residence hall on the grounds of any  
910 institution of higher learning, including any college,  
911 university, community college, technical college, or junior  
912 college.

913 (17) A delivery service licensee may not deliver  
914 alcoholic beverages to a location more than 75 miles from the  
915 licensed premise of the retail licensee where the delivery  
916 originated.

917 (18) A delivery service licensee may not deliver any  
918 alcoholic beverage to any licensee of the board.

919 (19) A delivery service licensee shall report, at the  
920 direction of the board, the total amount of beer, wine, or  
921 spirits directly delivered to residents in the state during  
922 the preceding calendar year.

923 (20) A delivery service licensee shall permit the board  
924 or the Department of Revenue to perform an audit of the





## HB593 INTRODUCED

953 ordinances establishing different rules on delivery, delivery  
954 service licensees, or requiring additional permits or fees,  
955 are prohibited.

956 (i) The board may adopt rules pursuant to the Alabama  
957 Administrative Procedure Act to implement this section.

958 (j) Any violation of this section is a Class B  
959 misdemeanor upon a first conviction. A second or subsequent  
960 conviction is a Class A misdemeanor."

961 Section 5. This act shall become effective on October  
962 1, 2026.