



**WSWA 2022 END OF YEAR
STATE LEGISLATIVE ENACTMENT REPORT**

2022 Enacted State Legislation

February 8, 2023

TABLE OF CONTENTS

- I. [2022 MAJOR TAKEAWAYS](#)
- II. [LOOKING FORWARD](#)
- III. [BY THE NUMBERS](#)
- IV. [ENACTED BILLS MATRIX](#)
 - a. [Shipping Bills](#)
 - b. [RTDs/Low-ABV/Seltzers Bills](#)
 - c. [Delivery and To-Go Bills](#)
 - d. [Satellite Location Bills](#)
 - e. [Self-Distribution](#)

To view a summary and the link to each **enacted bill** listed in the report, click [here](#).

To view a summary and the link to each **pending bill** in the report, click [here](#).

To view a summary and the link to each **dead bill** in the report, click [here](#).



2022 MAJOR TAKEAWAYS

POST-PANDEMIC DUST SETTLES

The pace of legislative enactments related to alcohol slowed in 2022 as states emerged from the pandemic into a more stable environment. While some of this is attributed to some state legislatures like Montana and Texas that follow a biennial schedule, the number of enactments remained lower than we saw the past two years.

TAXATION

A number of recent events in the industry, from legal decisions and policy changes to public emergencies, created a need for states to amend their tax codes. The exact nature of these changes varied from state to state, but the number of alcohol-related taxation bills enacted this year was an increase over past sessions. Several states adjusted the retail sales tax collected for alcoholic beverages while Maine clarified that shipments of spirits to the state do not carry a tax liability. No enacted bill altered the excise tax rates for alcoholic beverages.

CURBSIDE/TO-GO SALES

During the pandemic, a significant number of states passed laws allowing, in some form, on- and off-premise establishments to sell alcoholic beverages “to go” via takeout or curbside sales. Now on the other side of the pandemic, states like Rhode Island and New York continued to make these initially temporary permissions permanent. It is important to note that the scope of these sales varies from state-to-state, with some allowing “mixed drinks” in addition to sealed containers and still others linking these sales to a required food purchase.

SUSTAINABILITY

Bottle deposit and enhanced producer responsibility (EPR) legislation (EPR) has been an area of increased legislative attention. Bills implementing post-consumer recycling programs, amending procedures for existing ones, or directing studies to create a new program were considered on both coasts. As public sentiment takes an increasing interest in sustainability and environmentally friendly policies, state legislatures are following suit with these measures that impact the beverage alcohol industry.

THE MORE THINGS CHANGE, THE MORE THEY STAY THE SAME



In addition to the major themes noted above, some familiar issues cropped up in smaller numbers around the country.

SELF-DISTRIBUTION

The increase in the number of craft producers in recent years has been accompanied by several legislative measures aimed at increasing their access to market by allowing producers to distribute their products directly to retailers. In 2022, three states (LA, NE, TN) addressed permissions for breweries to self-distribute. Of those, Louisiana and Nebraska created new self-distribution permissions for beer, while Tennessee amended its existing permission to clarify that the volume limit applied to all self-distribution (both in- and out-of-county) by the manufacturer.

SUPPLIER DTC SALES

In a continuation of recent trends, a handful of states adopted provisions amending existing supplier direct to consumer laws. This was particularly true in control states as New Hampshire added requirements to its existing direct shipper permit, Utah created a consumer purchasing system operating through the division, and Maine authorized a study to review and identify concerns with its existing wine DTC law and review spirits DTC laws in other states.

MISCELLANEOUS RETAIL LICENSES

Like 2021, 2022 saw states expanding the types of retailer licenses available to include new environments such as entertainment districts (shopping malls, etc.), as well as golf courses, swimming pools, and stadiums.



LOOKING FORWARD

ALCOHOL LEGISLATION EXPECTED IN 2023

Looking at the 2023 legislative session, we anticipate bills being filed, and potentially enacted, in the following key areas:

DELIVERY AND TO-GO. The pace of delivery and to-go bill introductions decidedly slowed as a large majority of states passed the e-commerce measures in 2020 and 2021. In 2022, ten (10) states introduced curbside pickup/to-go legislation and fourteen (14) states introduced delivery legislation, however, few were enacted. In 2023 we expect to see a focus on third-party delivery and states with temporary provisions consider permanent laws.

INTERSTATE SHIPPING. Producer direct-to-consumer (DTC) shipping legislation, particularly for spirits, will be a contentious fight in over a dozen states in 2023. In 2022, thirteen (13) spirits DTC bills and three (3) wine DTC bills were introduced, however, as no state enacted a permanent DTC law, those states are expected to reintroduced producer DTC bills. In fact, four states have already introduced spirits DTC bills: IA, HI, MA, and NY.

SHIPPING ENFORCEMENT. In 2022, we saw the conclusion of the Uniform Law Commission's four-year endeavor to pass a model DTC compliance act. A handful of states are considering introducing legislation in 2023 to help alcohol enforcement agents better track and enforce against illegal shipments including common carrier licensing and reporting and fulfillment provider licensing and reporting laws.

READY-TO-DRINK BEVERAGES (RTDS). Following the continued exponential growth of malt-, sugar-, wine- and spirits-based RTDs in recent years, we anticipate further debate in control states on distribution rights. We also expect an increase in legislation that will define RTDs with ABV parameters for taxation and sales purposes.

MANUFACTURER SALES. Attempts to blur the three-tier system will continue to be pressed by certain members of the industry. We anticipate the introduction of legislation that will increase manufacturer satellite locations, increase limits for on-site sales, and permit self-distribution. We also expect definitions for small/craft/farm producers to expand to permit additional sales privileges.



SUSTAINABILITY. In 2022 we saw an uptick of bills to establish or expand existing bottle deposit programs continue across the country. We expect attention on these bills to grow, particularly with the rise in canned ready-to-drink alcoholic beverages—most of which fall outside many existing bottle deposit laws. We are also seeing a heightened focus on zero emission vehicle legislation and extended producer responsibility laws.



BY THE NUMBERS

984
ALCOHOL BILLS
INTRODUCED

158
ALCOHOL BILLS
ENACTED

TOP STATES WITH ENACTED LEGISLATION



CALIFORNIA



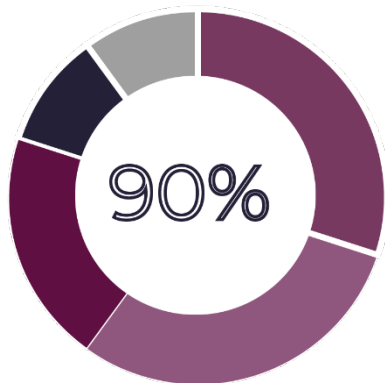
NEW YORK



MICHIGAN



VIRGINIA

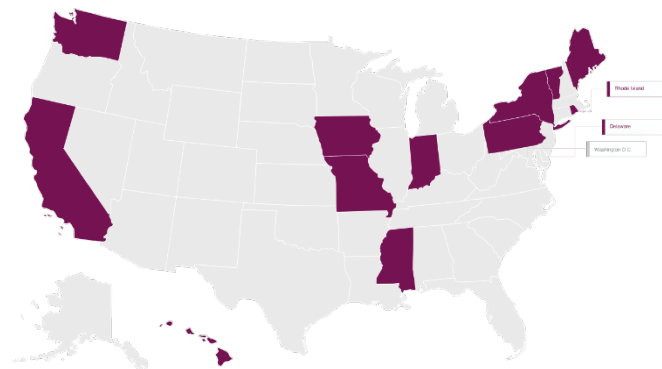


WSWA CURRENTLY HOLDS AN
90% SUCCESS RATE WHEN IT
SUPPORTS ADVOCACY EFFORTS IN
STATES ACROSS THE COUNTRY.

- DEFEATED PERMANENT SPIRITS DTC LEGISLATION
- DEFEATED WINE DTC LEGISLATION
- DEFEATED SHIPPING OUT OF STATE LEGISLATION
- SECURED EPR AMENDMENTS
- UNSUCCESSFUL COLEMAN ACT OPPOSITION

IN 2022, ZERO STATE
LEGISLATURES
CHOSE TO ENACT
(PERMANENT) DTC
LEGISLATION.

DEFEATED DTC LEGISLATION





ISSUE MATRICES: ENACTED AND PENDING LEGISLATION

[SHIPPING](#) | [RTDS/LOW-ABV/SELTZERS](#) | [DELIVERY](#) | [TO-GO](#) | [SATELLITE LOCATIONS](#) | [SELF-DISTRIBUTION](#) | [BOTTLE DEPOSIT](#) | [ADDITIONAL BILLS OF NOTE](#)

INTERSTATE SHIPPING

In 2022, thirteen states introduced bills that would establish a new spirits DTC privilege. Maine’s spirits DTC bill was amended into an alcohol shipping study bill and enacted. Maryland and California enacted bills to extend their temporary spirits DTC laws.

Three states introduced bills that would establish a new wine shipping privilege, all were defeated.

Bills to authorize retailer wine shipping were introduced in two states, and both died. In Alaska, where retailer wine and spirits shipping are legal without a specific shipping license, a bill to create and require retailers to obtain a shipping license was enacted.

STATE	NEW SHIPPING PRIVILEGE: WINE/SPIRITS PRODUCER/ RETAILER	EXISTING SHIPPING EXPANSION: WINE/SPIRITS PRODUCER/ RETAILER	SHIP TO RETAILER FOR CONSUMER PICKUP	COMMON CARRIER/ FULFILLMENT CENTER REPORTING/ LICENSING
ENACTED				
CALIFORNIA AB 920	<i>Spirits Producer (temporary until 2024)</i>			
ALASKA SB 9		<i>Wine & Spirits Producers & Retailers must obtain shipping license</i>		
KENTUCKY HB 500		<i>Spirits Producer (barrel picks)</i>		
MARYLAND HB 550	<i>Spirits Producer (temporary until 2023)</i>			
NEW HAMPSHIRE HB 1039				<i>Common Carrier Licensing</i>
TENNESSEE SB 1686				<i>Common Carrier License Expansion</i>
UTAH SB 14			Yes	
PENDING				



NEW JERSEY SB 1103	<i>Spirits Producer</i>			
NEW JERSEY SB 549		<i>Wine Producers (over 250k gallons)</i>		
DIED/AMENDED OUT OF SCOPE				
CALIFORNIA SB 620	<i>Spirits Producer (craft)</i>			
DELAWARE HB 210	<i>Wine Producer</i>			
DELAWARE SB 285	<i>Spirits & Wine Producer</i>			
HAWAII SB 2189, SB 2289	<i>Spirits Producer</i>			
INDIANA HB 1257	<i>Spirits Producer</i>			
IOWA HF 2525	<i>Spirits Producer</i>			
MASSACHUSETTS HB 441				<i>Common Carrier Reporting</i>
MAINE LD 1358 (amended out of scope)	<i>Spirits Producer</i>			
MINNESOTA SF 3008 (amended out of scope)				<i>Common Carrier Reporting</i>
MISSISSIPPI HB 730	<i>Wine Producer and Retailer</i>			
MISSOURI HB 2528	<i>Wine Retailer</i>			
MISSOURI HB 2669	<i>Spirits Producer</i>			
NEW YORK AB 799, SB 7740	<i>Wine Retailer</i>			
NEW YORK AB 10573, AB 3275, SB 8789, SB 4245	<i>Spirits Producer</i>	<i>Wine Producers</i>		
PENNSYLVANIA HB 2342	<i>Spirits Producer</i>			
RHODE ISLAND HB 7265, HB 7594, SB 2420	<i>Wine Producer</i>			
VERMONT HB 613, HB 638, SB 252	<i>Spirits Producer</i>			



WASHINGTON HB 1432	<i>Spirits Producer</i>			
---------------------------	-------------------------	--	--	--

RTDS/LOW-PROOF BEVERAGES/SELTZERS

RTDs/Low Alcohol Beverage/Seltzer legislation was introduced in 18 states in 2022. Of those, only 4 bills were enacted in Maine, Minnesota, Iowa, and Vermont. While the ME, MN, and IA legislation contained provisions that altered existing product definitions, the VT bill was the most comprehensive RTD legislation passed in 2022.

STATE	CREATES NEW RTD DEFINITION	CHANGES EXISTING PRODUCT DEFINITION	CHANGES DISTRIBUTION OR SALES CHANNEL/ REMOVES FROM STATE CONTROL	CREATES OR CHANGES RTD TAX RATE
ENACTED				
MAINE LD 1643		Yes		
MINNESOTA SF 3008/ HF 2767		Yes		
IOWA SF 2374		Yes		
VERMONT HB 730	Yes		Yes	Yes
PENDING				
NEW JERSEY SB 701				Yes
NEW JERSEY SB 1853	Yes			Yes
DEAD				
ALABAMA HB 328	Yes			
ARIZONA HB 2627				Yes
HAWAII HB 593, SB 565		Yes		
HAWAII HB 2370, SB 2331		Yes		
HAWAII SB 1354		Yes		
INDIANA HB 1219	Yes			
KENTUCKY HB 752				Yes
MARYLAND HB 867				Yes
MARYLAND SB 793				Yes
MINNESOTA HF 2620		Yes		
MINNESOTA SF 3054		Yes		



STATE	CREATES NEW RTD DEFINITION	CHANGES EXISTING PRODUCT DEFINITION	CHANGES DISTRIBUTION OR SALES CHANNEL/ REMOVES FROM STATE CONTROL	CREATES OR CHANGES RTD TAX RATE
MISSISSIPPI SB 2875		Yes		
NEBRASKA LB 578	Yes			Yes
NEBRASKA LB 898		Yes		
OKLAHOMA HB 3003			Yes	
PENNSYLVANIA SB 623				Yes
VERMONT HB 178	Yes			
VERMONT HB 590	Yes			
VERMONT SB 68	Yes			
VIRGINIA HB 300			Yes	
VIRGINIA SB 65			Yes	
WASHINGTON HB 1734	Yes			Yes
WASHINGTON SB 5049	Yes			Yes
WEST VIRGINIA HCR 100				Yes

LOCAL DELIVERY

In 2022, of the 50 delivery bills introduced in 19 states, eight bills were enacted. The enacted delivery bills were almost split evenly between on-premise and off-premise delivery, while three states and DC passed legislation regarding third-party delivery.

STATE	DELIVERY	THIRD PARTY DELIVERY	ALCOHOL TYPE
ENACTED			
CONNECTICUT HB 5330	<i>Off-Premise</i>	Yes	<i>Beer, Wine, Spirits</i>
DC B24 44	<i>On-Premise, Off-Premise</i>	Yes	<i>Beer, Wine, Spirits</i>
LOUISIANA HB 551/ HB 829	<i>Off-Premise</i>	Yes	<i>Beer, Wine, Spirits</i>
MASSACHUSETTS HB 4578	<i>On-Premise</i>		<i>Beer, Wine, Spirits</i>



STATE	DELIVERY	THIRD PARTY DELIVERY	ALCOHOL TYPE
NEW YORK SB 8005	<i>On-Premise</i>		<i>Wine and Spirits</i>
VIRGINIA HB 426 / SB 254	<i>Off-Premise</i>	Yes	<i>Beer, Wine, Spirits</i>
PENDING			
NEW JERSEY AB 3627	<i>Producer</i>		<i>Beer, Wine, Spirits</i>
NEW JERSEY AB 3710/ SB 355	<i>On-Premise, Producer</i>		<i>Beer, Wine, Spirits</i>
NEW JERSEY AB 4433/ SB 3094	<i>On-Premise, Off-Premise</i>		<i>Beer, Wine, Spirits</i>
NEW JERSEY AB 4260 / SB 3095	<i>On-Premise</i>		<i>Beer, Wine, Spirits</i>
DEAD			
CALIFORNIA AB 2896	<i>Off-Premise</i>	Yes	<i>Beer, Wine, Spirits</i>
COLORADO SB 132	<i>On-Premise</i>	Yes	<i>Wine</i>
DC B24 695	<i>On-Premise, Off-Premise, Producer</i>	Yes	<i>Beer, Wine, Spirits</i>
HAWAII HB 1386/ SB 1363/ SB 1417	<i>On-Premise</i>		<i>Spirits</i>
IOWA HF 2301/ HF 2531/ HSB 602/ SSB 3053	<i>Off-Premise</i>		<i>Beer, Wine, Spirits</i>
IOWA HSB 214/ SF 408	<i>Off-Premise</i>	Yes	<i>Beer, Wine, Spirits</i>
KANSAS HB 2611		Yes	<i>Beer, Wine, Spirits</i>
KENTUCKY HB 660	<i>Off-Premise</i>		<i>Wine and Spirits</i>
MASSACHUSETTS HB 4650/SB 196	<i>On-Premise</i>		<i>Spirits</i>
MASSACHUSETTS HB 4135	<i>On-Premise</i>	Yes	<i>Beer, Wine, Spirits</i>
MASSACHUSETTS SB 247	<i>On-Premise</i>		<i>Beer and Wine</i>
NEW YORK AB 3116/ AB 7732/SB 8184	<i>On-Premise, Producer</i>		<i>Beer, Wine, Spirits</i>
NEW YORK AB 3806/ AB 9005	<i>On-Premise</i>		<i>Beer, Wine, Spirits</i>



STATE	DELIVERY	THIRD PARTY DELIVERY	ALCOHOL TYPE
OKLAHOMA HB 4209	<i>On-Premise, Off-Premise</i>	Yes	<i>Beer, Wine, Spirits</i>
SOUTH CAROLINA HB 3772/SB 524	<i>On-Premise, Off-Premise</i>	Yes	<i>Beer and Wine</i>
TENNESSEE HB 1359/ SB 1152	<i>Off-Premise</i>	Yes	<i>Beer and Wine</i>
VERMONT HB 354	<i>Off-Premise</i>		<i>Beer and Wine</i>
VERMONT HB 370		Yes	<i>Beer and Wine</i>
WASHINGTON SB 5394	<i>On-Premise</i>		<i>Beer, Wine, Spirits</i>
WASHINGTON SB 5417	<i>On-Premise, Producer</i>		<i>Beer, Wine, Spirits</i>
WISCONSIN AB 71/ SB 57	<i>On-Premise, Off-Premise</i>	Yes	<i>Beer, Wine, Spirits</i>

TO-GO ALCOHOL SALES

Of the 63 to-go alcohol bills introduced in 24 states, 15 bills were enacted in 2022. The enacted to-go bills were split almost evenly between on-premise and off-premise locations, while four states and DC authorized curbside pickup of alcoholic beverages.

STATE	TO-GO	CURBSIDE PICKUP	ALCOHOL TYPE
ENACTED			
ALABAMA HB 119	<i>On-Premise, Off-Premise</i>	Yes	<i>Beer, Wine, Spirits</i>
ALABAMA SB 22	<i>Off-Premise</i>		<i>Wine</i>
CONNECTICUT HB 5330	<i>Off-Premise</i>	Yes	<i>Beer, Wine, Spirits</i>
DC B24 44	<i>On-Premise</i>	Yes	<i>Beer, Wine, Spirits</i>
DELAWARE HB 289	<i>Off-Premise, Producer</i>	Yes	<i>Beer, Wine, Spirits</i>
DELAWARE HB 290	<i>On-Premise, Producer</i>	Yes	<i>Beer, Wine, Spirits</i>
KANSAS HB 2137	<i>On-Premise</i>		<i>Beer</i>



STATE	TO-GO	CURBSIDE PICKUP	ALCOHOL TYPE
LOUISIANA HB 829	<i>On-Premise, Off-Premise</i>	Yes	<i>Beer, Wine, Spirits</i>
MAINE LD 1751	<i>On-Premise, Producer</i>		<i>Beer, Wine, Spirits</i>
MASSACHUSETTS HB 4578	<i>On-Premise</i>		<i>Beer, Wine, Spirits</i>
NEW YORK SB 5438	<i>Producer</i>		<i>Spirits</i>
NEW YORK SB 8005	<i>On-Premise</i>		<i>Wine and Spirits</i>
OKLAHOMA SB 169	<i>Off-Premise</i>		<i>Wine and Spirits</i>
RHODE ISLAND HB 7209/ SB 2153	<i>On-Premise, Producer</i>		<i>Beer, Wine, Spirits</i>
PENDING			
NEW JERSEY AB 3710/ SB 355	<i>On-Premise, Producer</i>		<i>Beer, Wine, Spirits</i>
DEAD			
ALABAMA HB 149	<i>Off-Premise</i>		<i>Wine</i>
CONNECTICUT HB 5328	<i>Off-Premise</i>	Yes	<i>Beer, Wine, Spirits</i>
DC B24 695	<i>On-Premise, Off-Premise</i>	Yes	<i>Beer, Wine, Spirits</i>
HAWAII HB 1386/ SB 1363/ SB 1417	<i>On-Premise</i>		<i>Spirits</i>
IOWA HSB 90 / SSB 1171	<i>On-Premise</i>		<i>Beer, Wine, Spirits</i>
KANSAS HB 2417	<i>Off-Premise</i>		<i>Beer</i>
KENTUCKY HB 761	<i>On-Premise, Off-Premise</i>		<i>Wine and Spirits</i>
MASSACHUSETTS HB 318	<i>Off-Premise</i>		<i>Beer and Wine</i>
MASSACHUSETTS HB 4135/ SB 247	<i>On-Premise</i>		<i>Beer and Wine</i>
MASSACHUSETTS HB 4650 /SB 196	<i>On-Premise</i>		<i>Spirits</i>
MICHIGAN SB 1163	<i>On-Premise, Producer</i>		<i>Beer, Wine, Spirits</i>



STATE	TO-GO	CURBSIDE PICKUP	ALCOHOL TYPE
MINNESOTA HF 37x/ HF 1028/ SF 31x/SF 1021/ SF 1176/ SF 1909	<i>On-Premise, Producer</i>		<i>Spirits</i>
MINNESOTA HF 2021/ SF 1992	<i>On-Premise</i>		<i>Beer and Spirits</i>
MISSOURI HB 1489		Yes	<i>Beer, Wine, Spirits</i>
NEBRASKA LB 72	<i>On-Premise, Off-Premise</i>		<i>Beer, Wine, Spirits</i>
NEW YORK AB 3116/ AB 7732/ SB 8184	<i>On-Premise, Producer</i>		<i>Beer, Wine, Spirits</i>
NEW YORK AB 3806/ AB 9005	<i>On-Premise</i>		<i>Beer, Wine, Spirits</i>
OKLAHOMA HB 2868	<i>Off-Premise</i>	Yes	<i>Beer, Wine, Spirits</i>
OKLAHOMA SB 795	<i>On-Premise</i>		<i>Beer and Wine</i>
OKLAHOMA HB 3732/ SB 1788	<i>On-Premise</i>		<i>Wine and Spirits</i>
PENNSYLVANIA HB 662	<i>On-Premise</i>		<i>Wine</i>
PENNSYLVANIA SB 1138	<i>On-Premise</i>		<i>Beer, Wine, Spirits</i>
SOUTH CAROLINA HB 3772	<i>On-Premise, Off-Premise</i>	Yes	<i>Beer and Wine</i>
SOUTH CAROLINA HB 3575/ SB 367	<i>On-Premise, Off-Premise</i>	Yes	<i>Beer and Wine</i>
TENNESSEE SB 681	<i>On-Premise</i>	Yes	<i>Beer, Wine, Spirits</i>
WASHINGTON SB 5394	<i>On-Premise</i>	Yes	<i>Beer, Wine, Spirits</i>
WASHINGTON SB 5417	<i>On-Premise, Producer</i>	Yes	<i>Beer, Wine, Spirits</i>
WISCONSIN AB 70/ SB 56	<i>On-Premise, Off-Premise</i>	Yes	<i>Beer, Wine, Spirits</i>
WISCONSIN SB 22	<i>On-Premise</i>		<i>Wine and Spirits</i>



SATELLITE LOCATIONS

In 2022, 14 satellite location bills were introduced in seven states and only two bills were enacted.

STATE	ADDS NEW SATELLITE LOCATION(S)
ENACTED	
CALIFORNIA AB 2307	<i>Yes, Beer Manufacturers</i>
NEW HAMPSHIRE HB 1039	<i>No, modified definition of “beverage manufacturer retail outlet”</i>
PENDING	
NEW JERSEY AB 3448	<i>Yes, Breweries and Brewery/Winery joint salesrooms</i>
NEW JERSEY AB 2774	<i>Yes, Small Brewery/Winery joint salesroom</i>
NEW JERSEY SB 2418	<i>Yes, Breweries and Brewery/Winery joint salesrooms</i>
DEAD	
MINNESOTA HF 2767	<i>No, modified provisions regulating sale, production, and licensing</i>
MINNESOTA HF 3662	<i>No, micro-distillery production limit modified to exclude spirits bottled under third-party contract</i>
OKLAHOMA HB 3641	<i>Yes, Distillers</i>
TENNESSEE HB 2210	<i>No, removes requirements and limitations for satellite facilities</i>
TENNESSEE HB 2104	<i>No, removes requirements and limitations for satellite facilities</i>
VERMONT HB 354	<i>Yes, Wineries</i>
VERMONT HB 588	<i>Yes, Manufacturers or Rectifiers</i>
VERMONT HB 688	<i>Yes, Manufacturers or Rectifiers</i>
VERMONT SB 217	<i>Yes, Manufacturers or Rectifiers</i>



SELF-DISTRIBUTION

In 2022, 12 self-distribution bills were introduced in seven states and only two bills were enacted.

STATE	AUTHORIZES SELF-DISTRIBUTION	AMENDS EXISTING PRIVILEGE
ENACTED		
NEBRASKA LB 1236	<i>Yes, Craft Breweries</i>	
LOUISIANA HB 370	<i>Yes, Breweries</i>	
DEAD		
FLORIDA HB 185	<i>Yes, Malt Beverage Manufacturers</i>	
FLORIDA SB 964	<i>Yes, Malt Beverage Manufacturers and Craft Distillers</i>	
FLORIDA SB 966	<i>Yes, Malt Beverage Manufacturers</i>	
ILLINOIS SB 2976	<i>Yes, Wineries</i>	
NEBRASKA LB 1235	<i>Yes, Breweries</i>	
TENNESSEE HB 2387		<i>Yes, Wineries</i>
TENNESSEE SB 2190		<i>Yes, Wineries</i>
WEST VIRGINIA HB 2612	<i>Yes, Distillery or Mini-Distillery</i>	
WISCONSIN AB 1035	<i>Yes, Wineries, Manufacturers, and Rectifiers</i>	
WISCONSIN SB 960	<i>Yes, Wineries, Manufacturers, and Rectifiers</i>	

BOTTLE DEPOSIT PROGRAMS

Bottle deposit bills saw an increase in attention during the 2022 legislative session with introductions in 16 states and enactments in six. WSWA also noticed a trend of extended producer responsibility programs and post-recycled content requirements aimed at the alcohol industry, which we are now tracking.

STATE	NEW BOTTLE DEPOSIT LAW	EXPANDS/AMENDS EXISTING BOTTLE DEPOSIT LAW
ENACTED		
CALIFORNIA SB 38		<i>Yes, all beverage containers must have minimum refund value</i>
CALIFORNIA SB 1013		<i>Adds spirits and wine</i>
HAWAII SB 2998		<i>Yes, distributor reports required</i>



STATE	NEW BOTTLE DEPOSIT LAW	EXPANDS/AMENDS EXISTING BOTTLE DEPOSIT LAW
IOWA SF 2378		Adds high alcoholic content beer and canned cocktails
MAINE LD 1467		Adds PCR plastic requirement to beverage containers
MICHIGAN SB 178		Yes, distributor and manufacturer reports required
OREGON SB 1520		Yes, adds canned wine
DEAD		
CALIFORNIA AB 2779		Adds spirits and wine sold in aluminum cans
HAWAII HB 1641		Yes, would require the deposit beverage container program to make changes at the recommendation of Office of Auditor
HAWAII HB 1642		Requires deposit beverage distributors to meet minimum PCR requirements
HAWAII SB 2555		Increases advance fee on glass containers
HAWAII SB 2739		Yes, would require the deposit beverage container program to make changes at the recommendation of Office of Auditor
HAWAII SB 2997		Requires deposit beverage distributors to meet minimum PCR requirements
ILLINOIS HB 1799		Provides for deposit value of five cents on each beverage container
ILLINOIS SB 3975		Yes, distributors must join Responsibility Organization and submit regular reports
IOWA HF 156, HF 182, HSB 595		Would repeal the beverage containers control program
IOWA HF 814, HF 872, HF 892, HSB 252, SF 565, SF 2122, SSB 1087		Adds high alcoholic content beer and canned cocktails to list of beverages for bottle redemption
IOWA HF 2122, HF 2440, SF 470, SF 368, SSB 1160		Increases handling fees from one cent to two
IOWA HF 2524, HF 2571, HSB 709, SSB 3033		Requires .5-cent handling fee to distributor from dealer
KENTUCKY HB 295		Creates minimum refundable deposit value for all beverage containers of 10 cents
MASSACHUSETTS HB 3284, HB 3055, HB 3332, HB 3345, HD 2997, SB 2159		Adds nips
MASSACHUSETTS HB 3289, HB 1599, HB 1772, HB 2683, HB 2916, HB 2984		Increases refund value from five to 10 cents



STATE	NEW BOTTLE DEPOSIT LAW	EXPANDS/AMENDS EXISTING BOTTLE DEPOSIT LAW
MASSACHUSETTS SB 2215, SD 956		<i>Creates deposit for glass wine and liquor bottles</i>
MICHIGAN SB 742		<i>Would prohibit distributors from accepting and paying deposit for a nonrefundable container</i>
MINNESOTA HF 4868	Yes	
MISSOURI HB 2874		<i>Provides additional responsibilities for distributors</i>
NEW HAMPSHIRE HB 1652	Yes	
NEW YORK AB 8517, SB 8242		<i>Increases handling fees</i>
NEW YORK AB 8668, SB 8651		<i>Increases refund value from five cents to 10</i>
NEW YORK AB 10184, SB 9164		<i>Adds wine, liquor, distilled spirit coolers, and cider and wine products</i>
NEW YORK SB 1103, AB 10390		<i>Establishes bottle redemption fraud task force</i>
NEW YORK SB 1690		<i>Requires certain establishments to accept empty beverage containers</i>
NEW YORK SB 5654, AB 4164		<i>Allows distributor to reimburse refund value to dealers in form of cash or credit</i>
RHODE ISLAND HB 7378, SB 2300		<i>Yes, adds \$.04 handling fee for distributors</i>
RHODE ISLAND SB 2140		<i>Creates deposit for nips</i>
VERMONT HB 175		<i>Adds wine bottles</i>
VIRGINIA HB 826	Yes	
WEST VIRGINIA HB 2105	Yes	

ADDITIONAL ENACTED BILLS OF NOTE

EXTENDED PRODUCER RESPONSIBILITY

Colorado enacted [HB 1355](#), Producer Responsibility Program for Statewide Recycling, requiring certain producers to fund the establishment of a non-profit to implement and manage a statewide program to provide recycling services to residents and businesses.

Louisiana [SCR 13](#), a resolution, requests the Department of Environmental Quality to study strategies for recycling plastic containers.

New Jersey [SB 2515](#) establishes postconsumer recycled content requirements for plastic and glass containers.



ENTERTAINMENT DISTRICTS

New Jersey [SB 2921](#) allows municipalities to create “open container areas” whereby people are permitted to carry and consume open containers of alcoholic beverages.

INDUSTRY PROMOTION

New Jersey [AB 1293](#) establishes the “New Jersey Brewery, Cidery, Meadery, and Distillery Industry Advisory Council” to promote these industries and aid in research and development.

LICENSING

Oklahoma [SB 1784](#) allows an employee of a licensed beer, wine, or spirits wholesaler who is at least 18 years of age to enter a spirits retail store, if they are doing so for the purpose of merchandising or delivering product.

Oklahoma [SB 1749](#) permits the sale of beer at golf courses or country clubs.

South Dakota [SB 188](#) will allow unlicensed businesses to store alcoholic beverages.

PRIVATIZATION

Mississippi [SB 2844](#) authorized \$5 million for the building of a new state warehouse that will be operated by a private third party.