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An Act Concerning the Ability of Off-premises Liquor Licensees To Dispense Liquor in Sealed Refillable Containers

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 28-A MRSA §2, sub-§26, as enacted by PL 1987, c. 45, Pt. A, §4, is amended to read:

26. Retail sale. "Retail sale" means any single sale of liquor of less than 20 gallons, or its metric equivalent, for consumption on or off the premises where sold and whether in the original package, in a sealed refillable container or as a mixed drink for immediate consumption.

Sec. 2. 28-A MRSA §2, sub-§27, as amended by PL 1997, c. 373, §18, is further amended to read:

27. Retailer. "Retailer" means any person licensed by the bureau to engage in the purchase and resale of liquor in the original container, sealed refillable container or by the drink, for consumption on or off the premises where sold. "Retailer" does not include wholesalers as defined in subsection 35.

A. "Off-premise retail licensee" means a person licensed to sell liquor in sealed bottles, sealed refillable containers, containers or original packages to be consumed off the premises where sold.

B. "On-premise retail licensee" means a person licensed to sell liquor to be consumed on the premises where sold.

Sec. 3. 28-A MRSA §1201, sub-§3-B is enacted to read:

3-B. Dispensing into sealable refillable container. A person licensed under this section may dispense liquor from a keg into a sealable refillable container for resale to be consumed off the premises. A sealable refillable container must be sealed by the licensee subsequent to dispensing for resale off the premises under this subsection. For purposes of this subsection, "keg" has the same meaning as in section 714, subsection 1, paragraph A.

SUMMARY

This bill allows off-premises retail liquor licensees to dispense liquor from kegs into sealable refillable containers for resale.