



127th MAINE LEGISLATURE

FIRST REGULAR SESSION-2015

Legislative Document

No. 761

H.P. 514

House of Representatives, March 5, 2015

An Act To Authorize Free Samples of Wine by a Restaurant

Reference to the Committee on Veterans and Legal Affairs suggested and ordered printed.

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative FREDETTE of Newport.

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

2 **Sec. 1. 28-A MRSA §709, sub-§2, ¶¶J and K,** as enacted by PL 2011, c. 629,
3 §15, are amended to read:

4 J. Providing samples authorized under section 1355-A, 1402, 1402-A or 1504; ~~or~~

5 K. Donations authorized under section 708-B; or

6 **Sec. 2. 28-A MRSA §709, sub-§2, ¶L** is enacted to read:

7 L. Licensees offering complimentary samples of wine under section 1055.

8 **Sec. 3. 28-A MRSA §1055** is enacted to read:

9 **§1055. Wine samples at restaurants**

10 **1. Wine samples at restaurants.** A restaurant, Class A restaurant or Class A
11 restaurant/lounge may offer a complimentary sample of wine to a customer, subject to the
12 following conditions:

13 A. A sample may not be given to a person under 21 years of age;

14 B. A person may not be served more than a total of 5 ounces of wine having an
15 alcohol content of 14% or less or more than a total of 3 ounces of wine having an
16 alcohol content greater than 14%;

17 C. A person who is visibly intoxicated may not be served;

18 D. The wine sampling must be conducted within the hours of retail sale for liquor
19 established in this Title;

20 E. The wine sampling must take place on the licensed premises; and

21 F. Wine served as a wine sample must be purchased from a wholesale licensee.

22 **SUMMARY**

23 This bill allows a restaurant, Class A restaurant or Class A restaurant/lounge to offer
24 complimentary samples of wine to a customer subject to certain conditions.