



State of Tennessee

PUBLIC CHAPTER NO. 1068

HOUSE BILL NO. 301

By Representatives Ramsey, Doss

Substituted for: Senate Bill No. 844

By Senator Yager

AN ACT to amend Tennessee Code Annotated, Title 57, relative to alcoholic beverages.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 57-3-204, is amended by adding a new subsection (i):

(i)

(1) Notwithstanding this section or § 57-3-208, a terminal building of a commercial air carrier airport that is a member of the Tennessee Association of Air Carrier Airports may obtain a retail license under this section authorizing the licensee to sell alcoholic beverages at retail in accordance with this subsection (i).

(2) A retail license issued under subdivision (i)(1) authorizes a terminal building of a commercial air carrier airport to operate one (1) or more noncontiguous retail stores located within the area of the terminal building secured by the transportation security administration or its successor organization.

(3) A retail store licensed under this subsection (i):

(A) May sell alcoholic beverages that:

(i) Are manufactured within this state;

(ii) Are packaged in tamper-resistant sealed packages; and

(iii) Indicate on the packaging that the customer is prohibited from consuming the alcoholic beverage until the customer reaches the customer's final destination;

(B) Notwithstanding § 57-3-406(e) and § 57-3-406(h), may sell alcoholic beverages on any day and during any hours during which the terminal building of a commercial air carrier airport is authorized to sell alcoholic beverages for on-premises consumption;

(C) May store inventory at one (1) or more secure locations other than the premises of the retail store that are located within the terminal building;

(D) May transfer and transport inventory to and from storage locations; and

(E) Shall not conduct consumer educational seminars or authorize its employees or agents to receive complimentary samples at a sales demonstration under § 57-3-404(h).

(4) Subsection (a) and subdivisions (b)(1), (2), (3)(A), and (3)(C) shall apply to retail stores licensed under this subsection (i).

(5) The commission shall verify that a terminal building of a commercial air carrier airport meets all qualifications for licensure under this subsection (i) prior to issuing a license.

(6) As used in this subsection (i), unless the context otherwise requires, "terminal building of a commercial air carrier airport" has the same meaning as defined in § 57-4-102.

SECTION 2. Tennessee Code Annotated, Section 57-3-402, is amended by adding the following new subsection:

(e) No alcoholic beverages or wine may be sold or delivered to a retailer authorized to sell such alcoholic beverages or wine under this title, whether on premise or off premise, unless such alcoholic beverages have been stored or warehoused at a premises licensed by the commission pursuant to § 57-3-203 for a period of no less than twenty-four (24) hours. It is the stated purpose of this requirement to verify the legality of all alcoholic beverages or wine distributed in this state, and to facilitate the proper payment of all taxes on alcoholic beverages. This subsection (e) shall not apply to deliveries to a licensee under § 57-3-202(i), § 57-3-204(e), or § 57-3-207(r).

SECTION 3. Tennessee Code Annotated, Section 57-3-224(a), is amended by adding the following language after the last sentence of the subsection:

If a delivery service licensed under this section is delivering alcoholic beverages or beer purchased from a retailer in accordance with this subsection (a), the delivery service shall not deliver the alcoholic beverages or beer to a customer who resides or is located at the time of the delivery at a distance greater than one hundred (100) miles from the licensed premises of the retailer at which the alcoholic beverages or beer was purchased.

SECTION 4. Tennessee Code Annotated, Section 57-3-406(k)(1), is amended by deleting the language "Notwithstanding any law or rule to the contrary, beginning July 1, 2015," and substituting instead "Except as otherwise provided in subdivision (k)(3), notwithstanding any law or rule to the contrary,".

SECTION 5. Tennessee Code Annotated, Section 57-3-406(k), is amended by adding the following language as a new subdivision (3):

(3) If a delivery service is delivering alcoholic beverages or beer purchased from a retailer in accordance with subdivision (k)(1), the delivery service shall not deliver the alcoholic beverages or beer to a customer who resides or is located at the time of the delivery at a distance greater than one hundred (100) miles from the licensed premises of the retailer at which the alcoholic beverages or beer was purchased.

SECTION 6. Tennessee Code Annotated, Section 57-3-806(e), is deleted.

SECTION 7. Tennessee Code Annotated, Section 57-3-801(a), is amended by adding the following as a new subdivision:

(3) Notwithstanding subdivision (a)(1) and § 57-3-101(a)(14) to the contrary, any municipality having a population of not less than five hundred seventy (570) nor more than five hundred seventy-nine (579) according to the 2010 federal census or any subsequent federal census, that is located in any county having a population of not less than twenty-nine thousand four hundred (29,400) nor more than twenty-nine thousand five hundred (29,500) according to the 2010 federal census or any subsequent federal census, may conduct a referendum to authorize the sale of wine at retail food stores within the corporate boundaries of such municipality. The referendum shall be conducted in the manner prescribed by § 57-3-106, notwithstanding the population requirements of § 57-3-106(b)(1).

SECTION 8. This act shall take effect upon becoming a law, the public welfare requiring it.

HOUSE BILL NO. 301

PASSED: April 20, 2016



BETH HARWELL, SPEAKER
HOUSE OF REPRESENTATIVES



RON RAMSEY
SPEAKER OF THE SENATE

APPROVED this 20th day of May 2016



BILL HASLAM, GOVERNOR