WEST VIRGINIA LEGISLATURE

2023 REGULAR SESSION

Introduced

House Bill 3173

By Delegate C. Pritt

[Introduced January 31, 2023; Referred to the Committee on the Judiciary]

A BILL to amend and reenact §60-6-2 of the Code of West Virginia, 1931, as amended, relating to permitting the manufacturing or distilling bourbon whiskey at a persons' residence for consumption at that residence.

Be it enacted by the Legislature of West Virginia:

ARTICLE 6. MISCELLANEOUS PROVISIONS.

§60-6-2. When lawful to manufacture and sell wine ~~and~~, cider, and bourbon whiskey.

The provisions of this chapter may not prevent:

(1) A person from manufacturing wine or distilling bourbon whiskey at his or her residence for consumption at his or her residence as permitted by §60-6-1 of this code.

(2) A person from manufacturing and selling unfermented cider;

(3) A person from manufacturing and selling cider made from apples produced by him or her within this state to persons holding distillery licenses, if the manufacture and sale is under the supervision and regulation of the commissioner;

(4) A person from manufacturing and selling wine made from fruit produced by him or her within this state to persons holding winery licenses, if the manufacture and sale is under the supervision and regulation of the commissioner;

(5) The holder of a winery or a farm winery license from selling wine for off-premises consumption sold at retail at the winery or the farm winery, as provided in §60-3B-4 of this code, or for any other person who is licensed under this chapter to sell wine as a wine supplier or distributor; and

(6) The holder of a distillery, mini-distillery, or micro-distillery license from selling alcoholic liquor for off-premises consumption sold at retail at the distillery, mini-distillery, or micro-distillery, as provided in §60-3A-4 of this code.

NOTE: The purpose of this bill is to permit the manufacturing or distilling bourbon whiskey at a persons' residence for consumption at that residence.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.