

# **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]

1 A BILL to amend and reenact §60-6-2 of the Code of West Virginia, 1931, as amended, relating to  
2 permitting the manufacturing or distilling bourbon whiskey at a persons' residence for  
3 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.**

1 The provisions of this chapter may not prevent:

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

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

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

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

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

15 (6) The holder of a distillery, mini-distillery, or micro-distillery license from selling alcoholic  
16 liquor for off-premises consumption sold at retail at the distillery, mini-distillery, or micro-distillery,  
17 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.