WEST VIRGINIA LEGISLATURE

2024 REGULAR SESSION

Introduced

House Bill 4298

By Delegate Smith

[Introduced January 10, 2024; Referred
to the Committee on the Judiciary]

A BILL to amend and reenact §60-6-10 of the Code of West Virginia, 1931, as amended, relating to allowing a person to manufacture a stated amount of alcoholic liquor for personal consumption.

Be it enacted by the Legislature of West Virginia:

ARTICLE 6. MISCELLANEOUS PROVISIONS.

§60-6-10. Unlawful operation of plant manufacturing distilled spirits; exception for personal consumption.

(a) A person who unlawfully owns, operates, or maintains a plant for the manufacture of distilled spirits, or aids or abets in the operation or maintenance of such a plant shall be guilty of a felony and, upon conviction shall be fined not less than $100 nor more than $1,000 or confined in the penitentiary not less than one nor more than five years.

(b) Notwithstanding the restriction of subsection (a) of this section, a person at least 21 years of age may manufacture alcoholic liquor for personal or family use. The aggregate amount of alcoholic liquor manufactured per household may not exceed 50 gallons per calendar year, if there are two or more persons over the age of 21 years, or 25 gallons per calendar year, if there is only one person over the age of 21 years in the household. Any alcoholic liquor manufactured under this section may not be sold or offered for sale.

NOTE: The purpose of this bill is to permit the manufacture in a limited amount of alcoholic liquor for personal use only and not for sale.

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