

**HOUSE BILL NO. 1077**

Introduced by

Representatives Ruby, J. Nelson, Glassheim

Senators Sitte, Klein, Murphy

1 A BILL for an Act to create and enact a new section to chapter 5-01 of the North Dakota Century  
2 Code, relating to direct sales by licensed wineries.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1.** A new section to chapter 5-01 of the North Dakota Century Code is created  
5 and enacted as follows:

6 **Direct sale by licensed wineries.**

- 7 1. A licensed winery that produces no more than fifty thousand gallons [189271 liters] of wine  
8 per year may sell and deliver, onsite or offsite, the wine produced by the winery directly to  
9 licensed retailers. The licensed winery may sell and deliver wine onsite to a licensed  
10 retailer who presents the retailer's license or a photocopy of the license. The winery may  
11 deliver the wine offsite if the winery:
- 12 a. Uses the winery's equipment, trucks, and employees to deliver the wine;
  - 13 b. Contracts with a licensed distributor to ship and deliver the wine to the retailer; or
  - 14 c. Contracts with a common carrier to ship and deliver the wine to the retailer directly  
15 from the winery or the winery's bonded warehouse.
- 16 2. The shipments delivered by a winery's equipment, trucks, and employees in a year may  
17 not exceed four thousand five hundred cases. A case may not exceed 2.38 gallons  
18 [9 liters].
- 19 3. Individual shipments delivered by common carrier may not exceed three cases a day for  
20 each licensed retailer. The shipments delivered by a common carrier in a year may not  
21 exceed four thousand five hundred cases. A case may not exceed 2.38 gallons [9 liters].