

**Adopted  
AMENDMENT NO 1 PROPOSED TO**

**House Bill No. 1088**

**BY: Representative Lamar**

1           **AMEND** on line 96 by inserting "(a)" before the word "An"

2           **AMEND further** on line 102 by inserting the following after  
3 the period:

4           "Package retailers may charge a service fee for receiving and  
5 handling shipment from wineries on behalf of the purchasers."

6           **AMEND further** by inserting the following after line 106:

7           "(b) The purchaser of wine that is to be shipped to a  
8 package retailer's store shall be required to get the prior  
9 approval of the package retailer before any wine is shipped to the  
10 package retailer. A purchaser is limited to no more than ten (10)  
11 cases of wine per year to be shipped to a package retailer. A  
12 package retailer shall notify a purchaser of wine within two (2)



13 days after receiving the shipment of the wine. If the purchaser  
14 of the wine does not pick up or take the wine from the package  
15 retailer within thirty (30) days after being notified by the  
16 package retailer, the package retailer may sell the wine as part  
17 of his inventory.

18 (c) Wine directly shipped under this section may only  
19 be delivered by a delivery agent who has obtained a Wine Delivery  
20 Permit. Any delivery agent may apply for the Wine Delivery Permit  
21 by filing an application on a form as prescribed by the  
22 commissioner. Any delivery agent that transports wine within this  
23 state without a valid Wine Delivery Permit will be subject to  
24 applicable criminal charges and will be ineligible to receive a  
25 Wine Delivery Permit for a year. There is no fee for the permit;  
26 however, as a condition of the permit wine delivery agents are  
27 required to maintain records of wine shipments including the  
28 permit number and name of the winery, quantity of wine shipped,  
29 recipients name and address, and an electronic or paper form of  
30 signature from the recipient of the wine. Shipment records shall  
31 be submitted in electronic format to the department annually on or  
32 before February 25 of each year. Failure to provide information  
33 or failure of the delivery agent to check the age of a recipient  
34 shall be cause for revocation of the permit."

