

2022 LEGISLATIVE BULLETIN

REGULAR SESSION



Appeals, Legal Services, and Disclosure Division
600 North Robert Street
Saint Paul, Minnesota 55146-2220

7/5/22

LIQUOR TAXES

Definition of “malt liquor.” Minn. Stat. § 340A.101, subd. 16, was amended to: 1) change the definition of “malt liquor” so that it includes fermentation of malt substitutes; and 2) clarify that “beer” means any beverage meeting this updated definition of malt liquor. The Department uses the Chapter 340A definition of “malt liquor” to administer: 1) the definition of “brewer,” found at Minn. Stat. § 297G.01, subd. 3; and 2) the defined term “3.2 percent malt liquor,” found at Minn. Stat. § 297G.01, subd. 18. Effective May 23, 2022. 2022 Minn. Laws, Ch. 86, Art. 1, § 2.

Use of Department data for exception to brewer licensure requirement. Newly enacted Minn. Stat. § 340A.29, subd. 1, allows municipalities to issue a license to brewers of malt liquor, subject to certain barrel limits and subject to approval by the Commissioner of Public Safety, that would allow brewers to make certain “off-sale” sales at their licensed premises. Minn. Stat. § 340A.29, subd. 4, makes an exception to the standard licensure barrel limit based on calendar year 2021 barrel data, and clarifies that in order to qualify for the exception, the 2021 data must be demonstrated by records from the Department of Revenue. Effective May 23, 2022. 2022 Minn. Laws, Ch. 86, Art. 1, § 5.