



Minnesota Department of Public Safety
Alcohol and Gambling Enforcement Division (AGED)
444 Cedar Street, Suite 222, St. Paul, MN 55101-5133
Telephone 651-201-7507 Fax 651-297-5259 TTY 651-282-6555

Certification of an On Sale Liquor License, 3.2% Liquor license, or Sunday Liquor License

Cities and Counties: You are required by law to complete and sign this form to certify the issuance of the following liquor license types:

- 1) City issued on sale intoxicating and Sunday liquor licenses
2) City and County issued 3.2% on and off sale malt liquor licenses

Name of City or County Issuing Liquor License License Period From: To:

Circle One: New License License Transfer Suspension Revocation Cancel
(former licensee name) (Give dates)

License type: (circle all that apply) On Sale Intoxicating Sunday Liquor 3.2% On sale 3.2% Off Sale

Fee(s): On Sale License fee: \$ Sunday License fee: \$ 3.2% On Sale fee: \$ 3.2% Off Sale fee: \$

Licensee Name: DOB Social Security #
(corporation, partnership, LLC, or Individual)

Business Trade Name Business Address City

Zip Code County Business Phone Home Phone

Home Address City Licensee's MN Tax ID #

Licensee's Federal Tax ID #
(To apply call IRS 800-829-4933) (To Apply call 651-296-6181)

If above named licensee is a corporation, partnership, or LLC, complete the following for each partner/officer:

Table with 4 columns: Partner/Officer Name (First Middle Last), DOB, Social Security #, Home Address. Three rows for data entry.

Intoxicating liquor licensees must attach a certificate of Liquor Liability Insurance to this form. The insurance certificate must contain all of the following:

- 1) Show the exact licensee name (corporation, partnership, LLC, etc) and business address as shown on the license.
2) Cover completely the license period set by the local city or county licensing authority as shown on the license.

Circle One: (Yes No) During the past year has a summons been issued to the licensee under the Civil Liquor Liability Law?

Workers Compensation Insurance is also required by all licensees: Please complete the following:

Workers Compensation Insurance Company Name: Policy #

I Certify that this license(s) has been approved in an official meeting by the governing body of the city or county.

City Clerk or County Auditor Signature Date
(title)

On Sale Intoxicating liquor licensees must also purchase a \$20 Retailer Buyers Card. To obtain the application for the Buyers Card, please call 651-201-7504, or visit our website at www.dps.state.mn.us.



Minnesota Department of Public Safety
ALCOHOL AND GAMBLING ENFORCEMENT DIVISION
445 Minnesota Street, Suite 222, St. Paul, MN 55101
(651) 201-7531 TDD (651) 282-6555
FAX (651) 297-5259



APPLICATION FOR BREWER OFF SALE
INTOXICATING LIQUOR LICENSE

Must be a licensed brewer in order to apply for this license



Fees: Brewer Off Sale Fee: \$ Sunday License: YES NO Sunday License Fee: \$
Workers Comp. Ins. Co. Policy Number

Minnesota Tax ID Number Federal Tax ID Number

Licensee's Name (business, partnership, LLC, corporation) DOB Social Security Number DBA or Trade Name

Business address Phone Number Fax Number

City State Zip Code License Period From To

Name of Store Manager Phone Number DOB (Individual Applicant)

If a corporation or LLC state name, date of birth, Social Security Number address, title, and share held by each officer. If a partnership, state names, address and date of birth of each partner.

Table with 6 columns: Partner Officer (First, middle, last), DOB, SS#, Title, Shares, Business address. Contains 4 rows of data.

1. If a corporation, date of incorporation, state incorporate in, amount paid in capital. If a subsidiary of any other corporation, so state and give purpose of corporation. If incorporated under the laws of another state, is corporation authorized to do business in the state of Minnesota? Yes No

2. Describe premises to which license applies; such as (first floor, second floor, basement, etc.) or if entire building, so state.

3. Is establishment located near any state university, state hospital, training school, reformatory or prison? Yes No if yes state approximate distance.

4. Name and address of building owner:

Has owner of building any connection, directly or indirectly, with applicant? Yes No

5. Is applicant or any of the associates in this application, a member of the governing body of the municipality in which this license is to be issued? Yes No If yes, in what capacity?

6. State whether any person other than applicants has any right, title or interest in the furniture, fixtures or equipment for which license is applied and if so, give name and details.

7. Have applicants any interest whatsoever, directly or indirectly, in any other liquor establishment in the state of Minnesota? Yes No If yes, give name and address of establishment.

- 8. Are the premises now occupied or to be occupied by the applicant entirely separate and exclusive from any other business establishment?  Yes  No
- 9. State whether applicant has or will be granted, an On sale Liquor License in conjunction with this Off Sale Liquor License and for the same premises.  Yes  No  Will be Granted
- 10. State whether applicant has or will be granted a Sunday On Sale Liquor License in conjunction with the regular On Sale Liquor License  Yes  No  Will be Granted
- 11. If this application is for a County Board Off Sale License, state the distance in miles to the nearest municipality. \_\_\_\_\_
- 12. State Number of Employees \_\_\_\_\_
- 13. If this license is being issued by a County Board, has a public hearing been held as per MN Statute 340A.405 sub2(d)? \_\_\_\_\_
- 14. If this license is being issued by a County Board, is it located in an organized township? If so, attach township approval. \_\_\_\_\_
- 1. State whether applicant or any of the associates in this application, have ever had an application for a liquor license rejected by any municipality or state authority; if so, give dates and details. \_\_\_\_\_

2. Has the applicant or any of the associates in this application, during the five years immediately preceding this application ever had a license under the Minnesota Liquor Control Act revoked for any violation of such laws or local ordinances; if so, give dates and details. \_\_\_\_\_

3. Has applicant, partners, officers, or employees ever had any liquor law violations or felony convictions in Minnesota or elsewhere, including State Liquor penalties?  Yes  No If yes, give dates, charges and final outcome. \_\_\_\_\_

4. During the past license year, has a summons been issued under the Liquor Civil Liability Law (Dram Shop) M.S. 340A.802.  Yes  No If yes, attach a copy of the summons. \_\_\_\_\_

This licensee must have one of the following: (ATTACH CERTIFICATE OF INSURANCE TO THIS FORM.)

Check one

- Liquor Liability Insurance (Dram Shop) - \$50,000 per person, \$100,000 more than one person; \$10,000 property destruction; \$50,000 and \$100,000 for loss of means of support.
- A surety bond from a surety company with minlum coverage as specified in A.
- A certificate from the State Treasurer that the licensee has deposited with the state, trust funds having market value of \$100,000 or \$100,000 in cash or securities.

I certify that I have read the above questions and that the answers are true and correct of my own knowledge.

Print name of applicant and title	Signature of applicant	Date
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REPORT BY POLICE/SHERIFF'S DEPARTMENT

This is to certify that the applicant and the associates named herein have not been convicted within the past five years for any violation of laws of the State of Minnesota or municipal ordinances relating to intoxicating liquor except as follows:

Police/Sheriff's Department	Title	Signature
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County Attorney's Signature

IMPORTANT NOTICE

All retail liquor licensees must have a current Federal Special Occupational Stamp. This stamp is issued by the Bureau of Alcohol, Tobacco and Firearms. For information call (651) 726-0220



State of Minnesota  
Alcohol & Gambling Enforcement Division

445 Minnesota Street Suite 222  
St. Paul, MN 55101-5133

Personal History Statement

Name: \_\_\_\_\_  
(LAST) (FIRST) (FULL MIDDLE)

Other names used (include alias, maiden names, and/or previous married names)

Date of Birth: \_\_\_/\_\_\_/\_\_\_ Social Security Number: \_\_\_\_\_

Place of Birth: (City) \_\_\_\_\_ (County) \_\_\_\_\_ (State) \_\_\_\_\_

Driver License # \_\_\_\_\_ State of Issue: \_\_\_\_\_

Position(s) you hold with the applicants business: \_\_\_\_\_

Current Address:

Home:

\_\_\_\_\_  
(Street) (City) (State) (Zip)

Telephone # Home: (\_\_\_\_) - \_\_\_\_ - \_\_\_\_ Work: (\_\_\_\_) - \_\_\_\_ - \_\_\_\_

Past Residences:

List of past residences in the last 10 years (list below)

Address	City	County	State	From & To Month/Year

(use additional sheets if necessary)

(Please provide the following information)

PHYSICAL DESCRIPTION:

HEIGHT: \_\_\_\_\_

WEIGHT: \_\_\_\_\_

HAIR COLOR: \_\_\_\_\_

EYE COLOR: \_\_\_\_\_

CIRCLE ONE: Male Female

CITIZEN: U.S. \_\_\_\_\_ Other: \_\_\_\_\_

**CRIMINAL HISTORY:**

- |  |     |    |
|--|-----|----|
| A. Have you ever been issued a citation, summons or ticket to appear in court? | Yes | No |
| Have you ever been arrested or detained by any type of law enforcement?        | Yes | No |
| Have you ever been convicted of a crime?                                       | Yes | No |
| Have you ever been the subject of an indictment?                               | Yes | No |
| Have you ever been pardoned for any criminal offense?                          | Yes | No |
| Are you currently on trial or awaiting a trial, or waiting for sentencing?     | Yes | No |

If "yes" to any of the above questions, provide the following information:

Date	City and State	Nature of Offense	Order of the Court

(use additional sheets if necessary)

**PREVIOUS ALCOHOLIC BEVERAGE HISTORY AND LICENSES:**

- A. Have you ever been involved with manufacturing, distributing, or retail sales of alcohol (to include working in any portion of the alcohol industry)?  
 (circle)                      YES                      NO
- B. Have you ever been licensed or denied a license by any government agency for the purpose of the manufacture, import wholesale or retail sale of alcoholic beverages?  
 (circle)                      YES                      NO

If answered "yes", provide the following information:

Date	Establishment	Type of License	City and State	Agency

(use additional sheets if necessary)

**C. Have you been fingerprinted for any purpose?**

(circle) YES NO

If answered "yes" provide the following information:

Date	Agency	Reason for Fingerprinting

(use additional sheets if necessary)

**PREVIOUS EMPLOYMENT: (Include current employer)**

Please provide the following information concerning your employment history. This information is required for all employers in the last 10 years.

Position	Employer	Employer's address	(MO/YR)

(use additional sheets if necessary)

**OTHER LICENSING:**

- Have you ever failed to file Federal or State income tax records? YES NO
- Have you ever had a sales or use tax permit revoked? YES NO
- Have you ever had any other license or permit revoked, denied or cancelled? YES NO
- Have you ever failed to submit reports or pay taxes to any government agency? YES NO

Please completely explain any "yes" answers below.

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(use additional sheets if necessary)

**Financial Interest in other alcoholic beverage licenses:**

**Please indicate by answering the following questions whether or not you have financial interest in any other alcoholic beverage license or business activity:**

**A. Types of interest held: (Circle Answer)**

- yes    no    1.) Invested or loaned money, have an option to purchase, or have a contract for service to any other alcoholic beverage license holder.
- yes    no    2.) Have ownership interest in equipment being leased or otherwise provided to any alcoholic beverage licensed facilities.
- yes    no    3.) Have an investment or ownership in any business involved in any of the activities listed in A.1 or A.2.
- yes    no    4.) Do you receive any revenue or payments or money from any person who is involved in the activities listed in question A.1 or A.2.

**Please completely explain all "yes" answers:**

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(use additional sheets if necessary)

**I certify that all statements made by me in this document are true, complete and correct to the best of my knowledge and belief and are made by me in good faith.**

\_\_\_\_\_  
**Signature of the Applicant**

\_\_\_\_\_  
**Date Signed**

**State of Minnesota**  
**Department of Public Safety**  
**Alcohol & Gambling Enforcement Division**

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**AUTHORITY TO RELEASE INFORMATION**

I, \_\_\_\_\_, authorize and grant my consent to permit  
Name  
any law enforcement agency, and any other person, business or agency deemed necessary, to release any information requested by any identified law enforcement officer of the Minnesota Department of Public Safety, Alcohol and Gambling Enforcement Division.

This information is for the express purpose of determining my eligibility for a liquor license issued under the authority of Minnesota State Statutes.

**Any statements determined to be false on this document are grounds for disqualification of the licensing process**

**NAME:**

\_\_\_\_\_

Signature: \_\_\_\_\_ Title: \_\_\_\_\_  
(If a corporation, signer must be a corporate officer)

Date: \_\_\_\_\_

Sworn and subscribed before me this  
\_\_\_\_\_ Day of \_\_\_\_\_, 20\_\_  
Notary \_\_\_\_\_

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**Alcohol & Gambling Enforcement Division**  
445 Minnesota Street, Suite 222  
St. Paul, MN 55101-5133  
(651) 201-7507

**Background Investigation Inquiry**

1.) Name of Business: \_\_\_\_\_

2.) Business Address: \_\_\_\_\_  
Street

\_\_\_\_\_ City State Zip

3.) Telephone Number: (\_\_\_\_) - \_\_\_\_ - \_\_\_\_\_ 4.) Federal I.D. # \_\_\_\_\_

**5.) IS BUSINESS A:**

\_\_\_\_\_ Corporation (mark appropriate box)

Check type of Corporation: Date of Incorporation: \_\_\_\_\_

\_\_\_ Subchapter S Corporation

\_\_\_ Publicly Traded Corporation

\_\_\_ Closely held Corporation

State of Incorporation: \_\_\_\_\_

\_\_\_ Partnership (attach partnership agreement)

\_\_\_ Sole proprietorship

**6.) HAS THIS COMPANY EVER BEEN LICENSED BY ANY GOVERNMENT AGENCY FOR THE PURPOSE OF THE MANUFACTURE, IMPORT OR SALES OF ALCOHOLIC BEVERAGES? (CIRCLE) Yes No**

If yes provide the following information for all licenses issued: date licensed; type of license held; agency issuing license; and state or jurisdiction where license was issued.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
(use additional paper if necessary)

7.) HAS THE COMPANY EVER HAD ANY ACTION TAKEN AGAINST AN ALCOHOLIC BEVERAGE LICENSE BY ANY AGENCY? (CIRCLE) Yes No If answered yes, explain and provide current status.

\_\_\_\_\_ Fined \_\_\_\_\_  
\_\_\_\_\_ Suspended \_\_\_\_\_  
\_\_\_\_\_ Revoked \_\_\_\_\_  
\_\_\_\_\_ Other Action \_\_\_\_\_  
(use additional paper if necessary)

8.) HAS THE COMPANY FILED OR BEEN INVOLVED IN BANKRUPTCY (OTHER THAN AS A CREDITOR) OR BEEN CHARGED WITH A CRIMINAL VIOLATION RELATED TO THE MANUFACTURE, IMPORT OR SALE OF ALCOHOLIC BEVERAVGES?

If yes - explain and provide current status.

\_\_\_\_\_ yes \_\_\_\_\_ no -- Bankruptcy \_\_\_\_\_  
\_\_\_\_\_ yes \_\_\_\_\_ no -- Criminal \_\_\_\_\_

(use additional paper if necessary)

9.) OTHER LICENSING

Have you ever had a sales and use tax permit revoked or canceled? YES NO  
Have you ever had any other license or permit revoked, denied or canceled? YES NO  
Have you ever failed to pay any liquor tax to any regulatory agency? YES NO

If "yes" to any of the above, provide complete details below.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(attach additional sheets if necessary)

10.) RECORD KEEPING

A.) Where are the financial books and records for this business kept?

\_\_\_\_\_  
Who maintains these records?

\_\_\_\_\_  
Who prepares the tax returns, government forms and reports?

\_\_\_\_\_

(3)

**B.) Does the applicant maintain an office within Minnesota?**

(Circle) Yes No

If yes, answer the following questions:

-- Mailing address of office: \_\_\_\_\_

-- Street address of office: \_\_\_\_\_

-- Name of manager: \_\_\_\_\_

-- Telephone Number of office: (\_\_\_\_) - \_\_\_\_ -- \_\_\_\_\_

-- Email address \_\_\_\_\_

**11.) LIST ALL FINANCIAL INSTITUTIONS IN WHICH THE BUSINESS MAINTAINS OPERATING AND INVESTMENT ACCOUNTS.**

Institution	Address	Phone	Account Number

(use additional sheets in necessary)

**12.) LIST THE SOURCE(S) AND AMOUNTS OF ALL OUTSTANDING BUSINESS LOANS. PROVIDE THE FOLLOWING:**

CREDITOR NAME	CREDITOR ADDRESS	LOAN AMOUNT	LOAN NUMBER

(use additional sheets if necessary)

(4)

**13.) PLEASE CHECK THE APPROPRIATE BOX AND PROVIDE THE INFORMATION REQUESTED BELOW CONCERNING:** (use additional sheets if necessary)

- Sole proprietorship\*
- Limited and general partners\*
- All shareholders in Sub-Chapter S and Closely Held Corporations\*
- All shareholders owning 5% or more of the stock either directly or indirectly\*
- All corporate officers and directors\*
- Any person(s) holding an option to purchase the business\*

Legal Name	Address	Title	Date of Birth	Social Security #	% Owned

(use additional sheets if necessary)

**\*EACH OF THESE INDIVIDUALS WITH MORE THAN 5% INTERST IN COMPANY MUST SUBMIT A PERSONAL HISTORY STATEMENT WITH THIS FORM.**

**14.) IDENTIFY ANY PERSON LISTED ABOVE THAT HAS ANY FINANCIAL INTEREST IN ANY OTHER ALCOHOLIC BEVERAGE LICENSE OR BUSINESS ACTIVITY.**

Name	Business	Address

(use additional sheets if necessary)

(5)

**15.) PROVIDE THE NAMES OF ALL EMPLOYEES HOLDING MANAGEMENT POSITIONS:\***

Legal Name	Address	Title	Date of Birth	Social Security #

(use additional sheets if necessary)

**\*EACH OF THESE INDIVIDUALS WITH MORE THAN 5% INTEREST IN COMPANY MUST SUBMIT A PERSONAL HISTORY STATEMENT WITH THIS FORM.**

**ATTACH THE FOLLOWING DOCUMENTS TO THIS FORM:**

- 1.) Personal history and financial statements history for anyone listed in Section 15
- 2.) FEDERAL AND STATE TAX RETURNS, FINANCIAL HISTORY OF BUSINESS; (TO INCLUDE BANK STATEMENTS TO SHOW FINANCIAL ORIGINS OF BUSINESS)
- 3.) If involved with a partnership or corporation;
  - a.) Articles of incorporation
  - b.) List of officers and board of directors or partners
  - c.) List of stockholders
  - d.) Partnership agreement

I certify that all statements made by the applicant in this document are true, complete and correct to the best of knowledge and belief and are made by me in good faith. I also understand that an investigation will be conducted to insure the applicant meets the criteria for a license as established by the Minnesota state law and department regulations. By signing this application I am also agreeing to pay for all costs incurred by the department in the conducting of an investigation of this application for a license.

Signature \_\_\_\_\_

Date \_\_\_\_\_

(If a corporation, signer must be a corporate officer)

**State of Minnesota**  
**Department of Public Safety**  
**Alcohol & Gambling Enforcement Division**

**AUTHORITY TO RELEASE INFORMATION**

I, \_\_\_\_\_, authorize and grant my consent to permit  
Business  
any law enforcement agency, and any other person, business or agency deemed necessary, to release any information requested by any identified law enforcement officer of the Minnesota Department of Public Safety, Alcohol and Gambling Enforcement Division.

This information is for the express purpose of determining my eligibility for a liquor license issued under the authority of Minnesota State Statutes.

**Any statements determined to be false on this document are grounds for disqualification of the licensing process.**

**NAME:**

\_\_\_\_\_  
(NAME OF BUSINESS)

Signature: \_\_\_\_\_ Title: \_\_\_\_\_  
(If a corporation, signer must be a corporate officer)

Date: \_\_\_\_\_

Sworn and subscribed before me this  
\_\_\_\_\_ Day of \_\_\_\_\_, 20\_\_  
Notary \_\_\_\_\_

*Subd. 8 Exclusion  
Liquor Store*

(6) in a town or municipality in which a majority of votes at the last election at which the question of license was voted upon were not in favor of license under section 340A.416, or within one-half mile of any such town or municipality, except that intoxicating liquor manufactured within this radius may be sold to be consumed outside it; and

(7) within 1,500 feet of any public school that is not within a city.

(b) The restrictions of this subdivision do not apply to a manufacturer or wholesaler of intoxicating liquor or to a drugstore or to a person who had a license originally issued lawfully prior to July 1, 1967.

**Subd. 5. Licenses in connection with premises of another.** An intoxicating liquor license may not be issued to a person in connection with the premises of another to whom a license could not be issued under the provisions of this chapter. This subdivision does not prevent the granting of a license to a proper lessee because the person has leased the premises of a minor, a noncitizen who is not a resident alien, or a person who has been convicted of a crime other than a violation of this chapter.

**Subd. 6. Off-sale licenses where 3.2 percent malt liquor is sold.** An off-sale intoxicating liquor license may not be issued to a place where 3.2 percent malt liquor is sold for consumption on the premises. This subdivision does not apply to those places where both an on-sale and off-sale license or a combination license have been issued under section 340A.406.

**Subd. 7. Drugstores.** No intoxicating liquor license may be issued to a person operating a drugstore unless the person has operated it for at least two years or has purchased a drugstore that has been in continuous operation for two or more years.

**Subd. 8. Expiration date.** All intoxicating liquor licenses issued by a county or a city, other than cities of the first class, must expire on the same date.

**Subd. 9. License transfer.** A license may be transferred with the consent of the issuing authority, provided that a license issued to a location at a racetrack licensed under chapter 240 may not be transferred. Where a license is held by a corporation, a change in ownership of ten percent or more of the stock of the corporation must be reported in writing to the authority who issued the license within ten days of the transfer.

**Subd. 10. Employment of minors.** No person under 18 years of age may serve or sell intoxicating liquor in a retail intoxicating liquor establishment.

**Subd. 11. Reissuance of licenses in certain cities.** A city having territory in which the sale of intoxicating liquor has been prohibited by law or charter and in which real property taken for a public purpose by negotiation or eminent domain proceedings was, immediately prior to the taking, actually and lawfully used for the sale of intoxicating liquor, may reissue the license previously issued to the location at any otherwise lawful location in the city. A change of location due to taking after July 1, 1972, must have been accomplished by July 1, 1976, but these licenses may be renewed, reissued, transferred, or relocated after that date.

**Subd. 12. Off-site storage prohibition.** A holder of a retail intoxicating liquor license or a municipal liquor store may not store any intoxicating liquor at any location other than the licensed premises except with the written permission of the commissioner.

**Subd. 13. First class cities; renewal of inactive licenses prohibited.** A city of the first class may not renew an on-sale intoxicating liquor license if the holder of the license has not made on-sales authorized by the license at any time during the one-year period immediately prior to the date of renewal.

**Subd. 14. Exclusive liquor stores.** (a) Except as otherwise provided in this subdivision, an exclusive liquor store may sell only the following items:

- (1) alcoholic beverages;
- (2) tobacco products;

- (3) ice;
  - (4) beverages, either liquid or powder, specifically designated for mixing with intoxicating liquor;
  - (5) soft drinks;
  - (6) liqueur-filled candies;
  - (7) food products that contain more than one-half of one percent alcohol by volume;
  - (8) cork extraction devices;
  - (9) books and videos on the use of alcoholic beverages;
  - (10) magazines and other publications published primarily for information and education on alcoholic beverages;
  - (11) multiple-use bags designed to carry purchased items;
  - (12) devices designed to ensure safe storage and monitoring of alcohol in the home, to prevent access by underage drinkers;
  - (13) home brewing equipment; and
  - (14) clothing marked with the specific name, brand, or identifying logo of the exclusive liquor store, and bearing no other name, brand, or identifying logo.
- (b) An exclusive liquor store that has an on-sale, or combination on-sale and off-sale license may sell food for on-premise consumption when authorized by the municipality issuing the license.
- (c) An exclusive liquor store may offer live or recorded entertainment.

**History:** 1985 c 305 art 6 s 12; 1985 c 309 s 10; 1Sp1985 c 16 art 2 s 3 subd 1; 1Sp1986 c 3 art 1 s 40, 41; 1987 c 152 art 1 s 1; 1987 c 310 s 11; 1991 c 249 s 13-15, 31; 1992 c 486 s 9; 1994 c 611 s 22; 1995 c 198 s 10; 1998 c 364 s 6; 1999 c 202 s 5; 2001 c 193 s 3; 2002 c 318 s 1; 2005 c 3 s 1; 2005 c 131 s 4; 2006 c 210 s 11; 2007 c 89 s 7; 2008 c 311 s 4; 2009 c 120 s 9; 2011 c 55 s 12; 2012 c 235 s 6

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(c) The revisor of statutes shall merge any amendments made in article 2 into the recodification made in this article.

Subd. 9.  
Off Sale Brewer.  
Malt liquor license

Sec. 9. **EFFECTIVE DATE.** This article is effective the day following final enactment.

## ARTICLE 2

### MISCELLANEOUS ALCOHOL PROVISIONS

Section 1. Minnesota Statutes 2014, section 340A.22, is amended by adding a subdivision to read:

Subd. 4. Off-sale license. A microdistillery may be issued a license by the local licensing authority for off-sale of distilled spirits. The license may allow the sale of one 375 milliliter bottle per customer per day of product manufactured on-site, subject to the following requirements:

(1) off-sale hours of sale must conform to hours of sale for retail off-sale licensees in the licensing municipality; and

(2) no brand may be sold at the microdistillery unless it is also available for distribution by wholesalers.

**EFFECTIVE DATE.** This section is effective the day following final enactment.

Sec. 2. Minnesota Statutes 2014, section 340A.301, subdivision 6d, is amended to read:

Subd. 6d. **Small brewer license.** (a) A brewer licensed under subdivision 6, clause (c), (i), or (j), may be issued a license by a municipality for off-sale of malt liquor at its licensed premises that has been produced and packaged by the brewer. The license must be approved by the commissioner. The amount of malt liquor sold at off-sale may not exceed 500 barrels annually. Off-sale of malt liquor shall be limited to the legal hours for off-sale at exclusive liquor stores in the jurisdiction in which the brewer is located, and the malt liquor sold off-sale must be removed from the premises before the applicable off-sale closing time at exclusive liquor stores, except that malt liquor in growlers only may be sold at off-sale on Sundays. Sunday sales must be approved by the licensing jurisdiction and hours may be established by those jurisdictions. The malt liquor shall be packed in 64-ounce containers commonly known as "growlers" or in 750 milliliter bottles. The containers or bottles shall bear a twist-type closure, cork, stopper, or plug. At the time of the sale, a paper or plastic adhesive band, strip, or sleeve shall be applied to the container or bottle and extended over the top of the twist-type closure, cork, stopper, or plug forming a seal that must be broken upon opening of the container or bottle. The adhesive band, strip, or sleeve shall bear the name and address of the brewer. The containers or bottles shall be identified as malt liquor, contain the name of the malt liquor, bear the name and address of the brewer selling the malt liquor, and shall be considered intoxicating liquor unless the alcoholic content is labeled as otherwise in accordance with the provisions of Minnesota Rules, part 7515.1100.

(b) A brewer may, but is not required to, refill any growler with malt liquor for off-sale at the request of a customer. A brewer refilling a growler must do so at its licensed premises and the growler must be filled at the tap at the time of sale. A growler refilled under this paragraph must be sealed and labeled in the manner described in paragraph (a).

(c) A brewer may only have one license under this subdivision.

(d) A municipality may not issue a license under this subdivision to a brewer if the brewer seeking the license, or any person having an economic interest in the brewer seeking the license or exercising control over the brewer seeking the license, is a brewer that brews more than 20,000 barrels of its own brands of malt liquor annually or a winery that produces more than 250,000 gallons of wine annually.

(e) The municipality shall impose a licensing fee on a brewer holding a license under this subdivision, subject to limitations applicable to license fees under section 340A.408, subdivision 3, paragraph (a).

**EFFECTIVE DATE.** This section is effective the day following final enactment.

Sec. 3. Minnesota Statutes 2014, section 340A.301, subdivision 7, is amended to read:

Subd. 7. **Interest in other business.** (a) Except as provided in this subdivision, a holder of a license as a manufacturer, brewer, importer, or wholesaler may not have any ownership, in whole or in part, in a business holding a retail intoxicating liquor or 3.2 percent malt liquor license. The commissioner may not issue a license under this section to a manufacturer, brewer, importer, or wholesaler if a retailer of intoxicating liquor has a direct or indirect interest in the manufacturer, brewer, importer, or wholesaler. A manufacturer or wholesaler of intoxicating liquor may use or have property rented for retail intoxicating liquor sales only if the manufacturer or wholesaler has owned the property continuously since November 1, 1933. A retailer of intoxicating liquor may not use or have property rented for the manufacture or wholesaling of intoxicating liquor.

(b) A brewer licensed under subdivision 6, clause (d), may be issued an on-sale intoxicating liquor or 3.2 percent malt liquor license by a municipality for a restaurant operated in the place of manufacture. Notwithstanding section 340A.405, a brewer who holds an on-sale license issued pursuant to this paragraph may, with the approval of the commissioner, be issued a license by a municipality for off-sale of malt liquor produced and packaged on the licensed premises. Off-sale of malt liquor shall be limited to the legal hours for off-sale at exclusive liquor stores in the jurisdiction in which the brewer is located, and the malt liquor sold off-sale must be removed from the premises before the applicable off-sale closing time at exclusive liquor stores, except that malt liquor in growlers only may be sold at off-sale on Sundays. Sunday sales must be approved by the licensing jurisdiction and hours may be established by those jurisdictions. The malt liquor shall be packaged in 64-ounce containers commonly known as "growlers" or in 750 milliliter bottles. The containers or bottles shall bear a twist-type closure, cork, stopper, or plug. At the time of the sale, a paper or plastic adhesive band, strip, or sleeve shall be applied to the container or bottle and extend over the top of the twist-type closure, cork, stopper, or plug forming a seal that must be broken upon opening of the container or bottle. The adhesive band, strip, or sleeve shall bear the name and address of the brewer. The containers or bottles shall be identified as malt liquor, contain the name of the malt liquor, bear the name and address of the brewer selling the malt liquor, and shall be considered intoxicating liquor unless the alcoholic content is labeled as otherwise in accordance with the provisions of Minnesota Rules, part 7515.1100. A brewer may, but is not required to, refill any growler with malt liquor for off-sale at the request of a customer. A brewer refilling a growler must do so at its licensed premises and the growler must be filled at the tap at the time of sale. A growler refilled under this paragraph must be sealed and labeled in the manner described in this paragraph. A brewer's total retail sales at on- or off-sale under this paragraph may not exceed 3,500 barrels per year, provided that off-sales may not total more than 500 barrels. A brewer licensed under subdivision 6, clause (d), may hold or have an interest in other retail on-sale licenses, but may not have an ownership interest in whole or in part, or be an officer, director, agent, or employee of, any other manufacturer, brewer, importer, or wholesaler, or be an affiliate thereof whether the

Brewers who manufacture fewer than 2,000 barrels of malt liquor in a year	
(j)Brewers who manufacture 2,000 to 3,500 barrels of malt liquor in a year	\$ 500

See d. 10  
Brewer Taproom  
License

If a business licensed under this section is destroyed, or damaged to the extent that it cannot be carried on, or if it ceases because of the death or illness of the licensee, the commissioner may refund the license fee for the balance of the license period to the licensee or to the licensee's estate.

**Subd. 6a. Permits and fees.** Any person engaged in the purchase, sale, or use for any purpose other than personal consumption of intoxicating alcoholic beverages or ethyl alcohol shall obtain the appropriate regulatory permit and identification card from the commissioner as provided in this subdivision. The fee for each permit, other than one issued to a state or federal agency, is \$35 and must be submitted together with the appropriate application form provided by the commissioner. Identification cards and permits must be issued for a period coinciding with that of the appropriate state or municipal license and are not transferable. In instances where there is no annual license period, cards and permits expire one year after the date of issuance. The authority to engage in the purchase, sale, or use granted by the card or permit may be revoked by the commissioner upon evidence of a violation by the holder of such a card or permit of any of the provisions of chapter 340A or any rule of the commissioner made pursuant to law.

**Subd. 6b. Brewer taproom license.** (a) A municipality, including a city with a municipal liquor store, may issue the holder of a brewer's license under subdivision 6, clause (c), (i), or (j), a brewer taproom license. A brewer taproom license authorizes on-sale of malt liquor produced by the brewer for consumption on the premises of or adjacent to one brewery location owned by the brewer. Nothing in this subdivision precludes the holder of a brewer taproom license from also holding a license to operate a restaurant at the brewery. Section 340A.409 shall apply to a license issued under this subdivision. All provisions of this chapter that apply to a retail liquor license shall apply to a license issued under this subdivision unless the provision is explicitly inconsistent with this subdivision.

(b) A brewer may only have one taproom license under this subdivision, and may not have an ownership interest in a brewery licensed under subdivision 6, clause (d).

(c) A municipality may not issue a brewer taproom license to a brewer if the brewer seeking the license, or any person having an economic interest in the brewer seeking the license or exercising control over the brewer seeking the license, is a brewer that brews more than 250,000 barrels of malt liquor annually or a winery that produces more than 250,000 gallons of wine annually.

(d) The municipality shall impose a licensing fee on a brewer holding a brewer taproom license under this subdivision, subject to limitations applicable to license fees under section 340A.408, subdivision 2, paragraph (a).

(e) A municipality shall, within ten days of the issuance of a license under this subdivision, inform the commissioner of the licensee's name and address and trade name, and the effective date and expiration date of the license. The municipality shall also inform the commissioner of a license transfer, cancellation, suspension, or revocation during the license period.

(f) Notwithstanding section 340A.504, subdivision 3, a taproom may be open and may conduct on-sale business on Sundays if authorized by the municipality.

**Subd. 6c. Microdistilleries.** The commissioner shall establish a fee for licensing microdistilleries that adequately covers the cost of issuing the license and other inspection requirements. The fees shall be deposited in an account in the special revenue fund and are appropriated to the commissioner for the purposes of this subdivision.