

SJR92 INTRODUCED



1 N5F1TT-1
2 By Senator Singleton
3 RFD:
4 First Read: 25-May-23
5 2023 Regular Session



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SJR___ CREATING THE MIXED SPIRIT BEVERAGE TASK FORCE.

WHEREAS, the past decade has witnessed an increase in the manufacture of beverages low in alcohol content brewed mainly from cane sugar or malted rice and typically mixed in flavored soda water or flavored seltzer water; and

WHEREAS, these "mixed spirit beverages," available from several manufacturers, have become popular with consumers, due in part to a perception that they are a low calorie alternative to beer, wine, or liquor; and

WHEREAS, the existing alcoholic beverage control laws in the State of Alabama make no provision for this beverage category, resulting in the absence of legal guidelines for suppliers, wholesalers, and retailers, and the loss of revenue to the state and its localities; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Mixed Spirit Beverage Task Force is established for the purpose of recommending legislation that would provide for the distribution, sale, and taxation of mixed spirit beverages.

(a) The membership of the task force shall consist of all of the following:

(1) The Lieutenant Governor, or his or her designee.

(2) The President Pro Tempore of the Senate, or his or her designee.



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29 (3) The Minority Leader of the Senate, or his or her
30 designee.

31 (4) The Chair of the Senate Finance and Taxation
32 General Fund Committee, or his or her designee.

33 (5) The Chair of the Senate County and Municipal
34 Government Committee, or his or her designee.

35 (6) The Speaker of the House of Representatives, or
36 his or her designee.

37 (7) The Speaker Pro Tempore of the House of
38 Representatives, or his or her designee.

39 (8) The Minority Leader of the House of
40 Representatives, or his or her designee.

41 (9) The Chair of the House of Representatives Ways
42 and Means General Fund Committee, or his or her designee.

43 (10) The Chair of the House of Representatives County
44 and Municipal Government Committee, or his or her designee.

45 (11) The Chair of the Alcoholic Beverage Control
46 Board, or his or her designee.

47 (12) A representative of the Alabama Beverage
48 Licensees Association, appointed by the association.

49 (13) A representative of the Alabama Grocers
50 Association, appointed by the association.

51 (14) A representative of the Alabama Wholesale Beer
52 Association, appointed by the association.

53 (15) A representative of a mixed spirit beverage
54 manufacturer, to be appointed by the chair of the task force
55 from at least three names submitted by the Alabama Wholesale
56 Beer Association.



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57 (b) (1) The membership of the task force shall be
58 inclusive and reflect the racial, gender, geographic, urban,
59 rural, and economic diversity of the state.

60 (2) No later than 60 days after enactment of this
61 resolution, the Governor shall call the first meeting of the
62 task force, at which the members shall elect a chair from
63 among the legislative membership.

64 (3) The legislative members of the task force shall
65 be entitled to their legislative compensation, per diem, and
66 travel expenses for each day they attend a meeting of the
67 task force pursuant to Section 49 of the Constitution of
68 Alabama of 2022.

69 (4) The non-legislative members of the task force
70 shall serve without compensation but may be reimbursed for
71 necessary expenses in attending meetings of the task force
72 pursuant to the policies of their respective appointing
73 authority.

74 (c) Pursuant to Section 36-14-17.1, Code of Alabama
75 1975, the task force shall provide to the Secretary of State
76 a notice of all meetings, the name of each member serving on
77 the task force, and a copy of all reports and written
78 recommendations produced throughout the duration of the task
79 force.

80 (d) (1) The task force shall meet as necessary to
81 conduct its business.

82 (2) A quorum for a meeting shall be five members.

83 (3) The task force may meet by electronic means.



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84 (e) The task force shall study mixed spirit beverages
85 and the current practices surrounding their distribution and
86 sale in the State of Alabama to wholesalers, retailers, and
87 the public in order to recommend legislation for inclusion
88 in the state's current alcoholic beverage control laws and
89 rules, with particular attention to the following
90 provisions:

91 (1) A legal definition of mixed spirit beverages.

92 (2) The distribution of mixed spirit beverages in
93 relation to the three-tier system of manufacturer or
94 supplier, distributor or wholesaler, and retailer.

95 (3) The distribution and sale of mixed spirit
96 beverages in relation to the alcoholic beverage control
97 board and its stores.

98 (4) The licensing of mixed spirit beverage retailers.

99 (5) The levy of the excise tax on mixed spirit
100 beverages as to the rate and collection.

101 (f) The task force shall submit its recommendations
102 on mixed spirit beverage legislation to the Governor and the
103 Legislature no later than the fifth day of the 2024 Regular
104 Session of the Legislature, at which time the task force
105 shall terminate.

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