

32B-11-202 Exemption for manufacture in personal residence of fermented beverage.

- (1) As used in this section, "fermented alcoholic beverage" means:
 - (a) beer;
 - (b) heavy beer; or
 - (c) wine.
- (2) An individual may without being licensed under this chapter manufacture in the individual's personal residence a fermented alcoholic beverage if:
 - (a) the individual is 21 years of age or older;
 - (b) the individual manufactures no more than:
 - (i) 100 gallons in a calendar year, if there is one individual that is 21 years of age or older residing in the household; or
 - (ii) 200 gallons in a calendar year, if there are two or more individuals who are 21 years of age or older residing in the household;
 - (c) the fermented alcoholic beverage is manufactured and used for personal or family use and consumption, including use at an organized event where fermented alcoholic beverages are judged as to taste and quality; and
 - (d) the fermented alcoholic beverage is not for:
 - (i) sale or offering for sale; or
 - (ii) consumption on a licensed premise.
- (3) An individual may store a fermented alcoholic beverage manufactured as provided in Subsection (2) in the individual's personal residence.
- (4) A fermented alcoholic beverage manufactured in accordance with Subsection (2) may be removed from the premises where it is manufactured:
 - (a) for personal or family use, including use at an organized event where fermented alcoholic beverages are judged as to taste and quality;
 - (b) if the fermented alcoholic beverage is transported in compliance with Section 41-6a-526; and
 - (c) if the fermented alcoholic beverage is removed only in the following quantities:
 - (i) for personal and family use that is unrelated to an organized event where fermented alcoholic beverages are judged as to taste and quality, the quantity that may be possessed at one time is:
 - (A) one liter of wine for each individual who is 21 years of age or older residing in the household;
 - (B) 72 ounces of heavy beer for each individual who is 21 years of age or older residing in the household; or
 - (C) 72 ounces of beer for each individual who is 21 years of age or older residing in the household; and
 - (ii) for on-premise consumption at an organized event where fermented alcoholic beverages are judged as to taste and quality, the quantity that may be removed for each organized event is:
 - (A) one liter of wine for each wine category in which the individual enters, except that the individual may not remove wine for more than three categories for the same organized event;
 - (B) 72 ounces of heavy beer for each heavy beer category in which the individual enters, except that the individual may not remove heavy beer for more than three categories for the same organized event; or
 - (C) 72 ounces of beer for each beer category in which the individual enters, except that the individual may not remove beer for more than three categories for the same organized event.

- (5) A partnership, corporation, or association may not manufacture a fermented alcoholic beverage under this section for personal or family use and consumption without obtaining a license under this chapter, except that an individual who operates a brewery under this chapter as an individual owner or in partnership with others, may remove beer from the brewery for personal or family use in the amounts described in Subsection (2)(b).

Enacted by Chapter 276, 2010 General Session