



State of Tennessee

PUBLIC CHAPTER NO. 444

HOUSE BILL NO. 1075

By Representatives Sanderson, Faison

Substituted for: Senate Bill No. 302

By Senators Yager, Gresham

AN ACT to amend Tennessee Code Annotated, Title 4; Title 43; Title 57 and Title 67, relative to wine.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 4-29-240(a), is amended by deleting subdivision (56).

SECTION 2. Tennessee Code Annotated, Title 43, is amended by deleting chapter 30.

SECTION 3. Tennessee Code Annotated, Title 57, Chapter 3, is amended by adding the following new part:

57-3-1101.

(a) The Tennessee wine and grape board is hereby created, referred to in this part as the "board", for the purpose of supporting the growth of the wine industry in this state.

(b) For administrative purposes only, the board is attached to the department of agriculture.

(c) The board is composed of seven (7) members, as follows:

(1) The commissioner of agriculture, or the commissioner's designee;

(2) The commissioner of tourism, or the commissioner's designee;

(3) A Tennessee wine producer, appointed by the governor;

(4) A Tennessee grape or fruit producer, appointed by the governor;

(5) A person in higher education with a background in fermentation or viticulture, appointed by the governor; and

(6) Two (2) members who are involved, with respect to the wine industry in this state, in production, marketing, sales, journalism, or education, appointed by the governor.

(d) Members appointed under subdivisions (c)(3)-(6) serve at the pleasure of the governor.

(e) The members of the board shall receive no compensation for their service on the board, nor are the members entitled to per diem or travel expenses for the purposes of carrying out their duties under this part.

(f) The commissioner of agriculture shall call the first meeting of the board. The board shall elect its chair and other officers at the first meeting of the board and annually thereafter.

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(g) For the initial appointments of members under subdivisions (c)(3)-(6), the governor shall appoint two (2) members to four-year terms, two (2) members to three-year terms, and one (1) member to a two-year term.

(h) After the initial appointments, each appointed member shall serve a term of four (4) years. Vacancies on the board must be filled in the same manner as the initial appointment.

(i) For purposes of conducting official business of the board, a quorum consists of no less than four (4) members.

(j) The board shall issue an annual report on the wine industry and viticulture in this state and on current and future activities of the board, and shall submit the report to the governor, the commissioner of finance and administration, the chair of the agriculture and natural resources committee of the house of representatives, and the chair of the energy, agriculture and natural resources committee of the senate.

57-3-1102.

(a) Money appropriated for use by the board must be used to:

- (1) Increase the number of wineries in this state;
- (2) Improve the quality of wine produced by wineries in this state;
- (3) Promote the wine industry and viticulture in this state; and

(4) Implement and maintain a wholesaler rebate program for Tennessee wineries.

(b) The board has the authority to receive gifts, donations, grants, and funds to promote its activities and support ongoing programs. Any funds raised by the board must be used in accordance with this part.

(c) Any funds received by the board shall be held by the department and accounted for separately for such use.

(d) The office of the comptroller of the treasury may audit the board as it deems necessary.

57-3-1103.

The board may promulgate rules for the purpose of carrying out this part.

SECTION 4. Tennessee Code Annotated, Section 4-29-242(a), is amended by inserting the following as a new subdivision:

- () Tennessee wine and grape board, created by § 57-3-1101;

SECTION 5. This act shall take effect July 1, 2019, the public welfare requiring it.

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PASSED: April 30, 2019



GLEN CASADA, SPEAKER
HOUSE OF REPRESENTATIVES



RANDY MCNALLY
SPEAKER OF THE SENATE

APPROVED this 22nd day of May 2019



BILL LEE, GOVERNOR