

§1358. Home distillery establishments

1. Definitions. For purposes of this section, the following terms have the following meanings.

A. "Home distillery" means a distillery located in a dwelling or on property connected with a dwelling, including, but not limited to, a shed, yard or enclosure. For purposes of this paragraph, "dwelling" means a residential structure, including, but not limited to, a house, individual condominium unit, mobile home or trailer, if it is used as a residence. [PL 2025, c. 313, §1 (NEW).]

B. "Mash capacity" means the volume of a mash tun, which is the vessel used to mix crushed grains and water to begin the brewing process. [PL 2025, c. 313, §1 (NEW).]

C. "Proof gallon" means one liquid gallon of spirits that is 50% alcohol at 60 degrees Fahrenheit. [PL 2025, c. 313, §1 (NEW).]

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2. Personal use allowed. Notwithstanding chapter 83, the owner of a home distillery may produce distilled spirits solely for personal use, including, but not limited to, personal consumption or serving the product to the owner's family members and guests to be consumed on the premises where the home distillery is located.

[PL 2025, c. 313, §1 (NEW).]

3. Prohibitions. The owner of a home distillery may not:

A. Have on the premises of the home distillery stills or distilling apparatuses that have a mash capacity of more than 15.5 gallons; [PL 2025, c. 313, §1 (NEW).]

B. Produce more than 24 proof gallons of distilled spirits per person 21 years of age or older residing on the premises where the home distillery is located in a calendar year; [PL 2025, c. 313, §1 (NEW).]

C. Produce more than 48 proof gallons in a calendar year; or [PL 2025, c. 313, §1 (NEW).]

D. Sell or offer for sale any spirits produced in the home distillery. [PL 2025, c. 313, §1 (NEW).]

[PL 2025, c. 313, §1 (NEW).]

4. Violation. Violation of this section is a Class E crime.

[PL 2025, c. 313, §1 (NEW).]

REVISOR'S NOTE: §1358. Unlicensed manufacture (As enacted by PL 2025, c. 315, §2 is REALLOCATED TO TITLE 28-A, SECTION 1359)

SECTION HISTORY

PL 2025, c. 313, §1 (NEW).

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