

CHAPTER 241
HB 1765-FN - FINAL VERSION

11Mar2026... 0473h
05/07/2026 1721s

2026 SESSION

26-2508
08/06

HOUSE BILL ***1765-FN***

AN ACT enabling wine and beverage manufacturers to offer tastings of and sell products of certain New Hampshire wine and beverage manufacturers and relative to defacing of controlled products.

SPONSORS: Rep. Hunt, Ches. 14

COMMITTEE: Commerce and Consumer Affairs

AMENDED ANALYSIS

This bill:

I. Enables wine and beverage manufacturers to offer tastings of and to sell products of certain New Hampshire wine and beverage manufacturers.

II. Prohibits off premise license holders and employees or agents of off premise license holders from defacing any controlled product or its packaging or labeling prior to sale or delivery.

Explanation: Matter added to current law appears in ***bold italics***.
 Matter removed from current law appears ~~[in brackets and struckthrough.]~~
 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty-Six

AN ACT enabling wine and beverage manufacturers to offer tastings of and sell products of certain New Hampshire wine and beverage manufacturers and relative to defacing of controlled products.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 241:1 New Paragraph; Liquor Licenses and Fees; Wine Manufacturer License. Amend RSA 178:8 by
2 inserting after paragraph XII the following new paragraph:

3 XIII. For an additional annual fee of \$120, any wine manufacturer licensee with sales of under
4 1,000 cases per licensing year may purchase products from a beverage manufacturer licensed under
5 RSA 178:12, or another wine manufacturer licensed under this section, for the purpose of sampling or
6 selling its products at the licensee's premises. Wine manufacturer licensees operating pursuant to this
7 paragraph shall be subject to the following limitations:

8 (a) On-premises samples may be sold or given away.

9 (b) Sample sizes shall be limited to the provisions of RSA 178:12, II-a for beverages, and
10 paragraph III of this section for wine.

11 (c) Off-premises retail sales made at the beverage manufacturer's facility or another wine
12 manufacturer's facility shall be limited to products in their unopened original containers and to customers
13 and persons of legal drinking age.

14 (d) All sales and sampling activities must occur during the licensee's normal business hours.

15 241:2 Liquor Licenses and Fees; Beverage Manufacturer License. RSA 178:12, XIV is repealed and
16 reenacted to read as follows:

17 XIV. For an additional annual fee of \$120, any beverage manufacturer licensee with production of
18 under 2,500 barrels per licensing year may purchase products from any wine manufacturer licensed under
19 RSA 178:8, or from any beverage manufacturer licensed under RSA 178:12, regardless of such
20 manufacturer's production volume for the purpose of sampling or selling such products at the licensee's
21 premises. Beverage manufacturer licensees operating under this paragraph shall be subject to the
22 following limitations:

23 (a) On-premises samples may be sold or given away.

24 (b) Sample sizes shall be limited to the provisions of paragraph II-a of this section for
25 beverages, and RSA 178:8, III for wine.

26 (c) Off-premises retail sales made at the wine manufacturer's facility or another beverage
27 manufacturer's facility shall be limited to products in their unopened original containers and to customers
28 and persons of legal drinking age.

29 (d) All sales and sampling activities must occur during the licensee's normal business hours.

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1 241:3 New Section; Enforcement, Requirements and Penalties; Advertising; Prohibited Conduct;
2 Defacing of Controlled Products. Amend RSA 179 by inserting after section 31 the following new section:

3 179:31-a Prohibited Conduct; Defacing of Controlled Products.

4 I. No off premise license holder, or an employee or agent of an off premise license holder acting
5 within the scope of employment, shall intentionally deface, or cause or permit the defacing of, any
6 controlled product or its packaging or labeling prior to sale or delivery to a consumer.

7 II. For purposes of this section, prohibited defacing shall include, but not be limited to:

8 (a) Intentionally removing, cutting, tearing, peeling off, or otherwise damaging any portion of
9 the original label or packaging.

10 (b) Applying any sticker, tag, marking, or other material.

11 III. Nothing in this section shall prohibit:

12 (a) The placement of price tags, inventory control stickers, security devices, or similar
13 markings used in the ordinary course of business.

14 (b) Actions expressly required by state or federal law, administrative rule, product recall
15 notice, or lawful order of a regulatory agency.

16 IV. A licensee shall not be subject to suspension, revocation, or other administrative penalty
17 under this chapter solely on the basis that a controlled product, its packaging, or its labeling has been
18 defaced, if the defacing occurred without the licensee's authorization, direction, or knowing permission.

19 241:4 Effective Date. This act shall take effect 60 days after its passage.

Approved: July 02, 2026
Effective Date: August 31, 2026

