

# **WEST VIRGINIA LEGISLATURE**

## **2024 REGULAR SESSION**

**Introduced**

### **House Bill 4298**

By Delegate Smith

[Introduced January 10, 2024; Referred  
to the Committee on the Judiciary]

1 A BILL to amend and reenact §60-6-10 of the Code of West Virginia, 1931, as amended, relating to  
 2 allowing a person to manufacture a stated amount of alcoholic liquor for personal  
 3 consumption.

*Be it enacted by the Legislature of West Virginia:*

**ARTICLE 6. MISCELLANEOUS PROVISIONS.**

**§60-6-10. Unlawful operation of plant manufacturing distilled spirits; exception for personal consumption.**

1 (a) A person who unlawfully owns, operates, or maintains a plant for the manufacture of  
 2 distilled spirits, or aids or abets in the operation or maintenance of such a plant shall be guilty of a  
 3 felony and, upon conviction shall be fined not less than \$100 nor more than \$1,000 or confined in  
 4 the penitentiary not less than one nor more than five years.

5 (b) Notwithstanding the restriction of subsection (a) of this section, a person at least 21  
 6 years of age may manufacture alcoholic liquor for personal or family use. The aggregate amount  
 7 of alcoholic liquor manufactured per household may not exceed 50 gallons per calendar year, if  
 8 there are two or more persons over the age of 21 years, or 25 gallons per calendar year, if there is  
 9 only one person over the age of 21 years in the household. Any alcoholic liquor manufactured  
 10 under this section may not be sold or offered for sale.

NOTE: The purpose of this bill is to permit the manufacture in a limited amount of alcoholic liquor for personal use only and not for sale.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.