
By: Delegate Barve

Introduced and read first time: February 23, 1996

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Alcoholic Beverages - Micro-Brewery License**

3 FOR the purpose of altering the number of barrels of brewed alcoholic beverages a Class
4 7 micro-brewery licensee may brew; restricting the amount that such a licensee may
5 sell on the licensed premises; making a statement of intent; and generally relating to
6 alcoholic beverages brewery licenses.

7 BY repealing and reenacting, with amendments,
8 Article 2B - Alcoholic Beverages
9 Section 2-208
10 Annotated Code of Maryland
11 (1994 Replacement Volume and 1995 Supplement)

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
13 MARYLAND, That the Laws of Maryland read as follows:

14 **Article 2B - Alcoholic Beverages**

15 2-208.

16 (a) There is a Class 7 micro-brewery (on- and off-sale) license.

17 (b) The license shall be issued:

18 (1) By the State Comptroller;

19 (2) Only in the following jurisdictions:

20 (i) Allegany County;

21 (ii) Baltimore City;

22 (iii) Baltimore County;

23 (iv) The City of Annapolis;

24 (v) Anne Arundel County;

25 (vi) The thirteenth election district of Carroll County;

26 (vii) Charles County;

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1 (viii) Dorchester County;

2 (ix) Howard County; and

3 (x) Prince George's County; and

4 (3) Only to a holder of a Class B beer, wine and liquor (on-sale) license that
5 is issued for use on the premises of a restaurant located in a jurisdiction listed in
6 paragraph (2) of this subsection.

7 (c) (1) A holder of a Class 7 micro-brewery license:

8 (i) May brew and bottle malt beverages at a single location; and

9 (ii) May not brew more than [10,000] 60, 000 barrels of malt beverage
10 each calendar year, WITH NO MORE THAN 4,000 BARRELS OF THAT AMOUNT
11 AVAILABLE FOR SALE ON THE CLASS B RESTAURANT PREMISES. IT IS THE INTENT
12 OF THIS SUBSECTION THAT CLASS 7 LICENSEES WHO WISH TO PRODUCE MORE THAN
13 60,000 BARRELS PER YEAR MUST DIVEST THEMSELVES OF THEIR CLASS B LICENSES.

14 (2) In Allegany County only, the holder of a Class 7 license:

15 (i) May brew in one location and may contract for the bottling of the
16 malt beverage in another location; and

17 (ii) Need not meet the hotel/motel requirements for a Class B beer,
18 wine and liquor licensee but shall meet the requirements for those Class B restaurants.

19 (d) (1) The on-sale privilege authorizes the holder to sell at retail beer brewed
20 under this license to customers for consumption on the licensed premises.

21 (2) The off-sale privilege authorizes the holder to sell and deliver beer
22 brewed under this license to:

23 (i) Any wholesaler licensed under this article to sell beer in this State;
24 or

25 (ii) Any person who is located in a state other than Maryland who is
26 authorized under the laws of that state to receive brewed beverages.

27 (3) In the City of Annapolis, Anne Arundel County, Baltimore City,
28 Baltimore County, Charles County, Howard County, and Prince George's County only,
29 the holder may sell at retail beer brewed under this license to customers for consumption
30 off the licensed premises in refillable containers that are sealed by the micro-brewery
31 licensee at the time of each refill.

32 (e) A holder of a Class 7 micro-brewery license:

33 (1) May not own, operate or be affiliated with any other manufacturer of
34 beer; and

35 (2) Notwithstanding § 2-201(b) of this article, may not be granted a
36 wholesale alcoholic beverages license.

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1 (f) The hours and days for consumer sales under this license are as established
2 for a Class B license in the respective jurisdictions listed in subsection (b)(2) of this
3 section.

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
5 October 1, 1996.