

HOUSE BILL 1202

A1

11r2769
CF SB 496

By: **Delegates Malone and DeBoy**

Introduced and read first time: February 17, 2011

Assigned to: Rules and Executive Nominations

Re-referred to: Economic Matters, February 28, 2011

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 30, 2011

CHAPTER _____

1 AN ACT concerning

2 **Alcoholic Beverages – Brewery License – Samples and Sales**

3 FOR the purpose of altering the number of beer samples that a holder of a brewery
4 license may provide to a person of legal drinking age who participates in a tour,
5 promotional event, or other organized activity at the licensed premises; altering
6 the limit on certain purchases of beer per person; establishing a certain
7 limitation on selling beer under certain circumstances; altering the sample size
8 that a holder may provide at a promotional event; altering the limit on the
9 number of special brewery promotional event permits that a holder may be
10 issued in a calendar year; and generally relating to brewery licenses.

11 BY repealing and reenacting, with amendments,
12 Article 2B – Alcoholic Beverages
13 Section 2–206
14 Annotated Code of Maryland
15 (2005 Replacement Volume and 2010 Supplement)

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

18 **Article 2B – Alcoholic Beverages**

19 2–206.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (a) A Class 5 manufacturer's license:

2 (1) Is a brewery license; and

3 (2) Authorizes the holder to:

4 (i) Establish and operate in this State a plant for brewing and
5 bottling malt beverages at the location described in the license;

6 (ii) Import beer from holders of nonresident dealer's permits;
7 and

8 (iii) Sell and deliver beer to any wholesale licensee in this State,
9 or person outside of this State, authorized to acquire it.

10 (b) ~~(1)~~ A licensee may:

11 ~~{(1)}~~ ~~(1)~~ Serve [up to 6 ounces for a sample of beer brewed at the
12 licensed premises to anyone who has taken a tour of the brewery, if that person is of
13 legal drinking age; and] **TO A PERSON OF LEGAL DRINKING AGE WHO**
14 **PARTICIPATES IN A GUIDED TOUR OF THE FACILITY OR ATTENDS A SCHEDULED**
15 **PROMOTIONAL EVENT OR OTHER ORGANIZED ACTIVITY AT THE LICENSED**
16 **PREMISES, NOT MORE THAN SIX SAMPLES OF BEER BREWED AT THE LICENSED**
17 **PREMISES, WITH EACH SAMPLE CONSISTING OF NOT MORE THAN ~~6~~ 3 OUNCES**
18 **FROM A SINGLE STYLE OF BEER; AND**

19 ~~{(2)}~~ ~~(2)~~ Sell beer brewed at the brewery for off-premises
20 consumption to anyone who participates in a guided tour of the brewery **OR ATTENDS**
21 **A SCHEDULED PROMOTIONAL EVENT OR OTHER ORGANIZED ACTIVITY AT THE**
22 **LICENSED PREMISES**, subject to the following restrictions:

23 ~~{(i)}~~ ~~1~~ The purchase is limited to [144] **288** ounces of beer
24 per person [each year, based upon records kept by the brewery and forwarded to the
25 Office of the Comptroller at intervals specified by that Office]; and

26 ~~{(ii)}~~ ~~2~~ The person has attained the legal drinking age.

27 (c) (1) The Office of the Comptroller may issue a special brewery
28 promotional event permit to a holder of a Class 5 manufacturer's license.

29 (2) The permit authorizes the holder to conduct on the premises of the
30 brewery a promotional event at which the holder may:

31 (i) Provide samples of not more than [2] ~~6~~ 3 fluid ounces per
32 brand to consumers; and

1 (ii) Sell beer produced by the holder to persons who participate
2 in the event.

3 (3) The beer at the event shall be sold by the glass and for
4 consumption on the premises only.

5 (4) A holder of a Class 5 manufacturer's license may not be issued
6 more than [four] 12 permits in a calendar year.

7 (5) A single promotional event may not exceed 3 consecutive days.

8 (6) The permit fee is \$25 per event.

9 (7) To obtain a permit, a person, at least 15 days before the event,
10 shall file with the Office of the Comptroller an application that the Office provides.

11 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
12 July 1, 2011.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.