

# HOUSE BILL 4

A1

(PRE-FILED)

3lr0570  
CF SB 32

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By: **Delegates Haddaway–Riccio and Eckardt**

Requested: October 17, 2012

Introduced and read first time: January 9, 2013

Assigned to: Economic Matters

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## A BILL ENTITLED

1 AN ACT concerning

2 **Alcoholic Beverages – Brewery License – On–Premises Consumption**

3 FOR the purpose of authorizing brewery licensees to sell beer to certain persons for  
4 on–premises consumption; limiting the total amount of beer that may be sold  
5 annually by a licensee under this Act; and generally relating to alcoholic  
6 beverages in the State.

7 BY repealing and reenacting, with amendments,  
8 Article 2B – Alcoholic Beverages  
9 Section 2–206  
10 Annotated Code of Maryland  
11 (2011 Replacement Volume and 2012 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 2–206.

16 (a) A Class 5 manufacturer’s license:

17 (1) Is a brewery license; and

18 (2) Authorizes the holder to:

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

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (ii) Import beer from holders of nonresident dealer's permits;  
2 [and]

3 (iii) Sell and deliver beer to any wholesale licensee in this State,  
4 or person outside of this State, authorized to acquire it; AND

5 (IV) SELL BEER BREWED AT THE LOCATION DESCRIBED IN  
6 THE LICENSE FOR ON-PREMISES CONSUMPTION.

7 (b) (1) A licensee may:

8 [(1)] (I) Serve to a person of legal drinking age who participates in a  
9 guided tour of the facility or attends a scheduled promotional event or other organized  
10 activity at the licensed premises, not more than six samples of beer brewed at the  
11 licensed premises, with each sample consisting of not more than 3 ounces from a single  
12 style of beer; [and]

13 [(2)] (II) Sell beer brewed at the brewery for off-premises  
14 consumption to anyone who participates in a guided tour of the brewery or attends a  
15 scheduled promotional event or other organized activity at the licensed premises,  
16 subject to the following restrictions:

17 [(i)] 1. The purchase is limited to 288 ounces of beer per  
18 person; [and]

19 [(ii)] 2. The person has attained the legal drinking age; AND

20 (III) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION,  
21 SELL BEER BREWED AT THE BREWERY FOR ON-PREMISES CONSUMPTION TO  
22 PERSONS THAT HAVE ATTAINED THE LEGAL DRINKING AGE.

23 (2) THE TOTAL AMOUNT OF BEER SOLD ANNUALLY UNDER  
24 PARAGRAPH (1)(III) OF THIS SUBSECTION MAY NOT EXCEED 6,000 BARRELS  
25 ANNUALLY.

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

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

30 (i) Provide samples of not more than 3 fluid ounces per brand to  
31 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 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, 2013.