

**HB0088/243396/1**

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 88  
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after “of” insert “making certain provisions of law relating to refillable containers applicable with respect to wine in Montgomery County;”; in line 7, after “consumption” insert “under certain circumstances”; in line 8, after “container” insert “under certain circumstances”; strike beginning with “specifying” in line 8 down through “standards;” in line 13; after line 15, insert:

“BY repealing and reenacting, with amendments,

Article 2B - Alcoholic Beverages

Section 8-103

Annotated Code of Maryland

(2011 Replacement Volume and 2014 Supplement)”;

and after line 20, insert:

“BY repealing and reenacting, without amendments,

Article 2B - Alcoholic Beverages

Section 21-107(a) and (c) through (e)

Annotated Code of Maryland

(2011 Replacement Volume and 2014 Supplement)”.

AMENDMENT NO. 2

On page 1, after line 23, insert:

“8-103.

(Over)

(a) (1) This section applies with respect to draft beer in the following jurisdictions:

- (i) Baltimore County;
- (ii) Carroll County;
- (iii) Harford County;
- (iv) Howard County;
- (v) Prince George's County; and
- (vi) St. Mary's County.

(2) This section applies with respect to wine in **THE FOLLOWING JURISDICTIONS:**

- (I) Howard County; AND
- (II) **MONTGOMERY COUNTY.**

(b) There is a refillable container permit.

(c) With respect to the alcoholic beverages authorized for the local jurisdiction under subsection (a) of this section, a refillable container permit entitles the permit holder to sell draft beer or wine, respectively, for consumption off the licensed premises in a refillable container that meets the standards under § 21-107 of this article.

(d) The term of a refillable container permit is the same as that of the underlying alcoholic beverages license.

(e) Except as otherwise specifically provided, the hours of sale for a refillable container permit are the same as those for the underlying alcoholic beverages license.

(f) An applicant who holds an underlying alcoholic beverages license without an off-sale privilege shall meet the same advertising, posting of notice, and public hearing requirements as those for the underlying license.

(g) A holder of a refillable container permit may refill only a refillable container that meets the standards under § 21-107 of this article.”

On page 2, in line 7, after “CONTAINER” insert “**THAT MEETS THE STANDARDS ESTABLISHED UNDER § 21-107 OF THIS ARTICLE**”.

On pages 2 and 3, strike beginning with “**TO**” in line 8 on page 2 down through “**(H)**” in line 3 on page 3.

On page 3, after line 4, insert:

“21-107.

(a) This section governs the standards for and use of containers that may be sold, filled, and refilled under the authority of a refillable container permit issued under this article.

(c) To be used as a refillable container for wine under the authority of a refillable container permit issued under this article, a container shall:

(1) Have a capacity of not less than 17 ounces and not more than 34 ounces;

(2) Be sealable;

(Over)

- (3) Be branded with an identifying mark of the seller of the container;
  - (4) Bear the federal health warning statement required for containers of alcoholic beverages under 27 C.F.R. 16.21;
  - (5) Display instructions for cleaning the container; and
  - (6) Bear a label stating that cleaning the container is the responsibility of the consumer.
- (d) The Comptroller may adopt standards on containers that qualify for use under this section as refillable containers for beer and for wine, respectively, including containers originating from outside the State.
- (e) Notwithstanding any other provision of this article, the holder of a refillable container permit issued under this article may refill a refillable container originating from inside or outside the State that meets standards adopted by the Comptroller under this section for a beer container or a wine container, as appropriate.”.