

SB0299/304734/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 299
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “authorizing” in line 3 down through “circumstances;” in line 8 and substitute “establishing a refillable wine container permit in Harford County; authorizing the Harford County Liquor Control Board to issue a refillable container permit for wine to a holder of a certain license under certain circumstances and conditions; specifying that this Act applies in the county to wine, including mead; providing that the permit authorizes the permit holder to sell wine for off-premises consumption in a refillable container under certain circumstances and conditions;”; in line 9, after “wine” insert “in Harford County”; and after line 9, insert:

“BY repealing and reenacting, without amendments,

Article 2B – Alcoholic Beverages

Section 1-102(a)(1), (3), (9-1), and (28) and 21-107

Annotated Code of Maryland

(2011 Replacement Volume and 2014 Supplement)”.

AMENDMENT NO. 2

On page 1, after line 17, insert:

“1-102.

(a) (1) In this article the following words have the meanings indicated.

(3) (i) “Beer” means any brewed alcoholic beverage.

(ii) “Beer” includes:

1. Beer;

(Over)

2. Ale;
3. Porter;
4. Stout;
5. Hard cider; and
6. Alcoholic beverages that contain:

A. 6% or less alcohol by volume, derived primarily from the fermentation of grain, with not more than 49% of the beverage's overall alcohol content by volume obtained from flavors and other added nonbeverage ingredients containing alcohol; or

B. More than 6% alcohol by volume, derived primarily from the fermentation of grain, with not more than 1.5% of the beverage's overall alcohol content by volume obtained from flavors and other added nonbeverage ingredients containing alcohol.

(9-1) "Hard cider" means a beverage derived primarily from apples, apple concentrate and water, pears, or pear concentrate and water, containing no other fruit product, and containing at least one-half of 1% and less than 7% of alcohol by volume.

(28) "Wine" means any fermented beverage, including light wines, and wines the alcoholic content of which has been fortified by the addition of alcohol, spirits or other ingredients."

On page 2, strike beginning with "wine" in line 4 down through "County" in line 5 and substitute "[wine]":

(I) WINE in Howard County; AND

(II) WINE, INCLUDING MEAD, IN HARFORD COUNTY”;

in line 23, strike “(1)”; in the same line, strike the brackets; strike beginning with “SUBJECT” in line 23 down through “CONTROL” in line 24; and strike beginning with “FOR” in line 24 down through “BOTH” in line 25.

On pages 2 and 3, strike in their entirety the lines beginning with line 27 on page 2 through line 3 on page 3, inclusive.

On page 3, strike in their entirety lines 5 through 8, inclusive; and after line 8, 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.

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

(1) Have a capacity of not less than 32 ounces and not more than 128 ounces;

(2) Be sealable;

(3) Be branded with an identifying mark of the seller of the container;

(Over)

(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:

(i) Cleaning the container is the responsibility of the consumer;
and

(ii) The contents of the container are perishable and should be refrigerated immediately and consumed within 48 hours after purchase.

(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;

(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.”.