

Chapter 294

(House Bill 1039)

AN ACT concerning

Wicomico County – Alcoholic Beverages – Micro–Breweries – Annual Production Limit

FOR the purpose of raising in Wicomico County the limit on the number of barrels of malt beverages that a micro–brewery may collectively brew, bottle, or contract for in a calendar year; and generally relating to micro–breweries in Wicomico County.

BY repealing and reenacting, with amendments,
 Article 2B – Alcoholic Beverages
 Section 2–208(c)(1)
 Annotated Code of Maryland
 (2011 Replacement Volume and 2014 Supplement)

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

Article 2B – Alcoholic Beverages

2–208.

- (c) (1) A holder of a Class 7 micro–brewery license:
- (i) May brew and bottle malt beverages at the license location;
 - (ii) May obtain a Class 2 rectifying license for a premises located within 1 mile of the existing Class 7 micro–brewery location to bottle malt beverages brewed at the micro–brewery location only;
 - (iii) May contract with the holder of a Class 2 rectifying license held under § 2–203 of this subtitle, a Class 5 brewery license, a Class 7 micro–brewery license, or a Class 8 farm brewery license, or the holder of a nonresident dealer’s permit to brew and bottle malt beverages on their behalf;
 - (iv) May store the finished product under an individual storage permit or at a licensed public storage facility for subsequent sale and delivery to a licensed wholesaler, an authorized person outside this State, and for shipment back to the micro–brewery location for sale on the retail premises;
 - (v) May not collectively brew, bottle, or contract for more than:

1. EXCEPT AS PROVIDED IN ITEM 2 OF THIS ITEM, 22,500 barrels of malt beverages each calendar year; [and] OR

2. IN WICOMICO COUNTY, 45,000 BARRELS OF MALT BEVERAGES EACH CALENDAR YEAR; AND

(vi) May enter into a temporary delivery agreement with a distributor only for delivery of beer to a beer festival or wine and beer festival and the return of any unused beer if:

1. The beer festival or wine and beer festival is in a sales territory for which the holder does not have a franchise with a distributor under the Beer Franchise Fair Dealing Act; and

2. The temporary delivery agreement is in writing.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2015.

Approved by the Governor, May 12, 2015.