

# HOUSE BILL 733

A1

6lr2052

---

By: **Delegate Barkley**

Introduced and read first time: February 5, 2016

Assigned to: Economic Matters

---

## A BILL ENTITLED

1 AN ACT concerning

2 **Alcoholic Beverages – Multiple Manufacturer’s Licenses – Sampling, Sale, and**  
3 **Consumption of Products**

4 FOR the purpose of repealing certain provisions of law that prohibit certain holders of  
5 certain alcoholic beverage manufacturer’s licenses from selling or allowing to be  
6 consumed at certain locations certain products; authorizing the holder of a farm  
7 brewery license to apply for and obtain, under a different name, additional licenses  
8 for the same or different premises; authorizing the holder of multiple manufacturer’s  
9 licenses to allow the sampling, sale, and consumption of certain products at certain  
10 locations, subject to a certain restriction; and generally relating to authority for  
11 holders of certain alcoholic beverage manufacturer’s licenses to allow the sampling,  
12 sale, and consumption of certain products.

13 BY repealing and reenacting, with amendments,

14 Article – Alcoholic Beverages

15 Section 2–202(i), 2–204(g), 2–206(b)(10), 2–210(i), (j), (k), and (l), and 2–212(a)

16 Annotated Code of Maryland

17 (As enacted by Chapter \_\_\_ (S.B.\_\_\_\_)(6lr1406) of the Acts of the General Assembly of  
18 2016)

19 BY repealing

20 Article – Alcoholic Beverages

21 Section 2–206(b)(9) and 2–210(h)

22 Annotated Code of Maryland

23 (As enacted by Chapter \_\_\_ (S.B.\_\_\_\_)(6lr1406) of the Acts of the General Assembly of  
24 2016)

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

27 **Article – Alcoholic Beverages**

---

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 2-202.

2 (i) [(1) Except as provided in paragraph (2) of this subsection, a license holder  
3 may not sell or allow to be consumed at the licensed premises any product other than  
4 products produced by the license holder under the authority of this section.

5 (2) A holder of a caterer's license or privilege under Subtitle 5 of this title  
6 or Subtitle 12 of various titles of Division II of this article may exercise the privileges of the  
7 license or privilege on the licensed premises of the license holder.

8 2-204.

9 (g) [(1) Except as provided in paragraph (2) of this subsection, a license holder  
10 may not sell or allow to be consumed at the licensed premises any product other than  
11 products produced by the license holder under the authority of this section.

12 (2) A holder of a caterer's license or privilege under Subtitle 5 of this title  
13 or Subtitle 12 of various titles of Division II of this article may exercise the privileges of the  
14 license or privilege on the licensed premises of the license holder.

15 2-206.

16 (b) [(9) A license holder may not sell or allow to be consumed at the location of  
17 the limited winery any alcoholic beverage other than the wine or pomace brandy produced  
18 by the license holder under the authority of this section.]

19 [(10)] (9) Nothing in this subsection limits the application of relevant  
20 provisions of Title 21 of the Health – General Article, and regulations adopted under that  
21 title, to a license holder.

22 2-210.

23 [(h) Except as provided in subsection (j) of this section, a license holder may not  
24 sell or allow to be consumed at the location of the farm brewery any alcoholic beverage  
25 other than the beer produced by the license holder under the authority of this section.]

26 [(i)] (H) Nothing in this section limits the application of relevant provisions of  
27 Title 21 of the Health – General Article, and regulations adopted under that title, to a  
28 license holder.

29 [(j)] (I) (1) A license holder may sponsor a multibrewery activity at the  
30 licensed farm that:

31 (i) includes the products of other Maryland breweries; and

1 (ii) provides for the sale of beer by the glass for on-premises  
2 consumption only.

3 (2) In a segregated area approved by the Comptroller on the licensed farm,  
4 a license holder may store the products of other Maryland breweries for the multibrewery  
5 activity.

6 (3) The multibrewery activity:

7 (i) may be held from 10 a.m. to 10 p.m. each day; and

8 (ii) may not exceed 3 consecutive days.

9 **[(k)] (J)** (1) The Comptroller may issue a brewery promotional event permit  
10 to a license holder.

11 (2) At least 15 days before holding a planned promotional event, the license  
12 holder shall obtain a permit from the Comptroller by filing a notice of the promotional event  
13 on the form that the Comptroller provides.

14 (3) The permit authorizes the license holder to conduct at the licensed farm  
15 a promotional event at which the license holder may:

16 (i) provide samples of not more than 6 fluid ounces per brand to  
17 consumers; and

18 (ii) sell beer produced by the license holder to persons who  
19 participate in the event.

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

22 (5) The license holder may not be issued more than 12 permits in a  
23 calendar year.

24 (6) A single promotional event:

25 (i) may be held from 10 a.m. to 10 p.m. each day; and

26 (ii) may not exceed 3 consecutive days.

27 (7) The permit fee is \$25 per event.

28 **[(l)] (K)** The annual license fee is \$200.

29 2-212.

1 (a) (1) This subsection does not apply to a Class 6 pub–brewery license.

2 (2) The holder of a distillery, rectifying, winery, limited winery, [or]  
3 brewery, **OR FARM BREWERY** license may apply for and obtain, under a different name,  
4 one or more additional distillery, rectifying, winery, limited winery, [or] brewery, **OR FARM**  
5 **BREWERY** licenses for the same or different premises.

6 **(3) (I) THE HOLDER OF MULTIPLE MANUFACTURER’S LICENSES AT**  
7 **THE SAME LOCATION MAY ALLOW THE SAMPLING, SALES, AND CONSUMPTION OF**  
8 **PRODUCTS PRODUCED UNDER THE LICENSES AT EACH OF THE LICENSED PREMISES.**

9 **(II) THE SAMPLING, SALES, AND CONSUMPTION OF PRODUCTS**  
10 **SHALL BE CONSISTENT WITH THE AUTHORIZATION FOR EACH LICENSE.**

11 ~~[(3)]~~ (4) The additional licenses may be issued to different persons or  
12 under trade names used by persons occupying all or a part of the same premises.

13 ~~[(4)]~~ (5) A holder of a license listed in paragraph (2) of this subsection  
14 may hold additional licenses listed in paragraph (2) of this subsection of the same or of a  
15 different class.

16 ~~[(5)]~~ (6) The holder of a micro–brewery license may apply for and obtain  
17 not more than one additional micro–brewery license for another premises.

18 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
19 1, 2016.