

HB0145/113497/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 145

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “authorizing” in line 4 down through the semicolon in line 6 and substitute “prohibiting the Comptroller from issuing more than a certain number of Class 7 micro-brewery licenses in the Town of Kensington; authorizing the Board of License Commissioners to issue a catering extension to a holder of a Class B–K beer and wine license; requiring certain license holders to exercise the privileges of a catering extension during certain times; clarifying that the holder of certain licenses are not required to obtain a catering extension for catering in certain locations;”; in line 14, after the semicolon insert “allowing the Board to issue more than one Class B–K license as one of the licenses the same license holder may hold;”; in line 24, strike “25–1201,” and substitute “25–405, 25–1202,”; and in the same line, after “25–1604,” insert “25–1614,”.

AMENDMENT NO. 2

On page 2, after line 4, insert:

“25–405.

(a) This section applies to a Class 7 micro-brewery (on- and off-sale) license in the county.

(b) The license may be issued to the holder of:

(1) a Class B beer, wine, and liquor (on-sale) license that is issued for use on the premises of a restaurant located in the county;

(Over)

(2) SUBJECT TO SUBSECTION (C) OF THIS SECTION, a Class D beer and wine license; or

(3) a Class H beer and wine license.

**(C) THE COMPTROLLER MAY NOT ISSUE MORE THAN AN AGGREGATE AMOUNT OF TWO CLASS 7 MICRO-BREWERY LICENSES TO HOLDERS OF CLASS D BEER AND WINE LICENSES IN THE TOWN OF KENSINGTON.**

[(c)] (D) A holder of the license shall enter into a written agreement with the Department of Liquor Control for the sale and resale of malt beverages brewed under the license.

[(d)] (E) (1) Subject to paragraphs (2), (3), and (4) of this subsection, the holder of a Class 7 micro-brewery license may:

(i) brew in two locations using the same Class 7 micro-brewery license; and

(ii) obtain a Class 2 rectifying license for the premises at the two locations authorized under item (i) of this paragraph.

(2) The holder of a Class 7 micro-brewery license may brew in two locations using the same Class 7 micro-brewery license if the license holder:

(i) requests permission by submitting a written application to the Comptroller; and

(ii) obtains written approval from the Comptroller.

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(3) Before authorizing a holder of a Class 7 micro-brewery license to brew in two locations using the same Class 7 micro-brewery license, the Comptroller shall:

(i) make a determination that a second location to brew additional capacity is necessary due to insufficient space at the existing Class 7 license location; and

(ii) consider any other factor relevant to approval of the application.

(4) Notwithstanding any other provision of this article, a holder of a Class 7 micro-brewery license may not serve or sell malt beverages for on- or off-premises consumption at the second brewing location authorized under this subsection.”.

On pages 2 and 3, strike in their entirety the lines beginning with line 5 on page 2 through line 8 on page 3, inclusive, and substitute:

“25-1202.

(a) There is a catering extension.

(b) The Board may grant a catering extension to the holder of:

(1) a Class B restaurant or hotel (on-sale) beer, wine, and liquor license;

[and]

(2) a Class BD-BWL license; AND

(3) A CLASS B-K BEER, WINE, AND LIQUOR LICENSE.

(Over)

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(c) The catering extension authorizes a holder to:

(1) provide alcoholic beverages at an event that is held off the premises for which the holder's Class B restaurant or hotel (on-sale) beer, wine, and liquor license is issued; and

(2) exercise the privileges of the catering extension only during the hours and on the days authorized for:

(I) a Class B restaurant or hotel (on-sale) beer, wine, and liquor license;

(II) A CLASS BD-BWL LICENSE; OR

(III) A CLASS B-K BEER, WINE, AND LIQUOR LICENSE.

(d) The holder of a catering extension shall provide food for consumption at the catered event.

(e) This section does not require a holder of [a Class B restaurant or hotel (on-sale) beer, wine, and liquor license] THE FOLLOWING LICENSES to obtain a catering extension for catering on the premises for which the [Class B] license is issued:

(1) A CLASS B RESTAURANT OR HOTEL (ON-SALE) BEER, WINE, AND LIQUOR LICENSE;

(2) A CLASS BD-BWL LICENSE; AND

(3) A CLASS B-K BEER, WINE, AND LIQUOR LICENSE.”.

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On page 4, in lines 17, 23, and 26, in each instance, strike “Class A” and substitute “CLASS A-K”; and in lines 18, 26, and 27, in each instance, strike “CLASS D” and substitute “CLASS D-K”.

On page 5, after line 2, insert:

“25-1614.

(a) Except as provided in § 25-1615 of this subtitle, the Board may not authorize the same license holder to hold more than 10 licenses.

(b) The 10 licenses that may be held by the same license holder:

(1) may include:

(I) one or more Class H-BW licenses; AND

(II) ONE OR MORE CLASS B-K LICENSE; and

(2) may not include more than one Class BD-BWL license.”;

and in line 9, strike “12 A.M.” and substitute “MIDNIGHT”.