HOUSE BILL 432

A2 1lr0686 By: Montgomery County Delegation Introduced and read first time: January 15, 2021 Assigned to: Economic Matters Committee Report: Favorable House action: Adopted Read second time: March 4, 2021 CHAPTER AN ACT concerning Montgomery County - Alcoholic Beverages - Draft Beer for Off-Site **Consumption in Damascus** MC 12-21 FOR the purpose of authorizing the Board of License Commissioners for Montgomery County to issue a refillable container permit for draft beer or a nonrefillable container permit for draft beer to a holder of a Class H beer and wine license if the licensed establishment is in Damascus; making clarifying changes; and generally relating to alcoholic beverages in Montgomery County. BY repealing and reenacting, without amendments, Article – Alcoholic Beverages Section 4-1104, 4-1106, and 25-102 Annotated Code of Maryland (2016 Volume and 2020 Supplement) BY repealing and reenacting, with amendments, Article – Alcoholic Beverages Section 25–806, 25–1103, 25–1104.1, and 25–1603 Annotated Code of Maryland (2016 Volume and 2020 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

<u>Underlining</u> indicates amendments to bill.

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Strike out indicates matter stricken from the bill by amendment or deleted from the law by amendment.

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,



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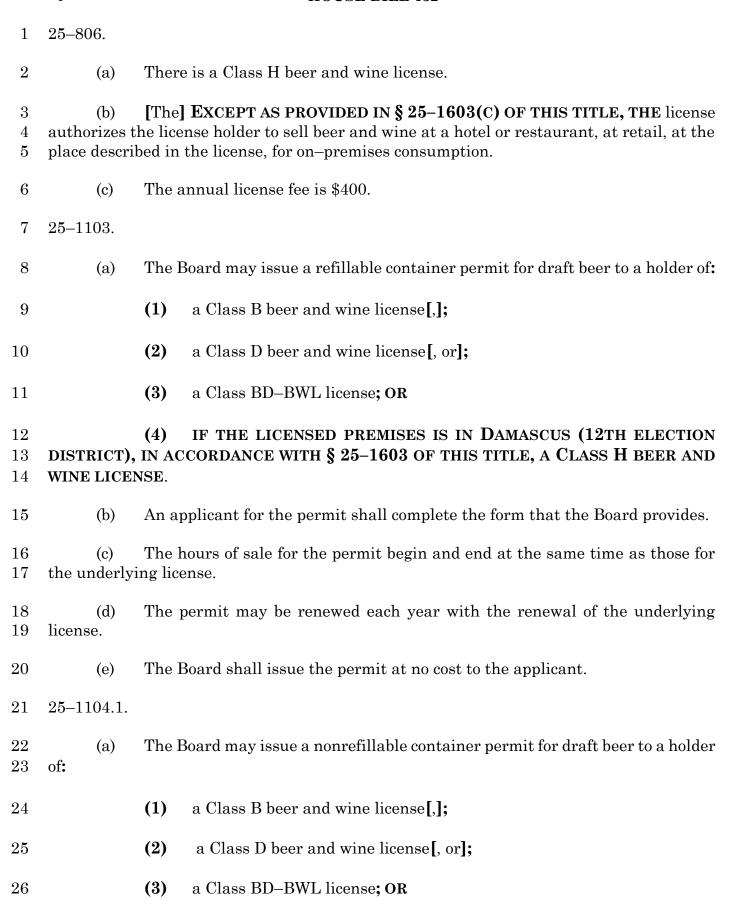
consumer; and

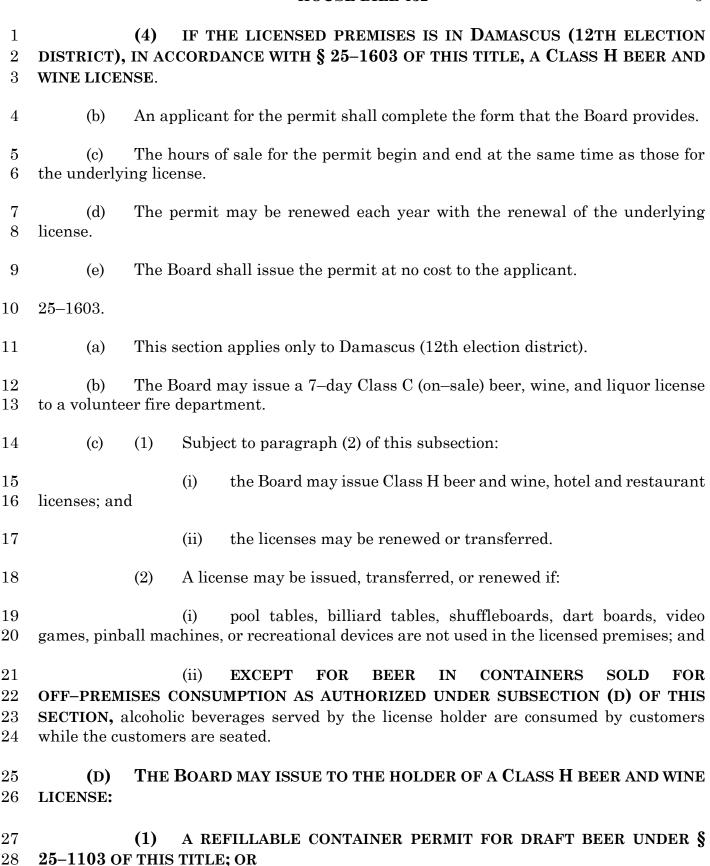
1 That the Laws of Maryland read as follows: 2 Article - Alcoholic Beverages 3 4-1104. 4 (a) There is a refillable container permit. 5 (b) A refillable container permit authorizes the permit holder to: 6 (1) sell draft beer for off-premises consumption in a refillable container that meets the standards set out in subsection (d) of this section; and 7 8 **(2)** sell and refill a refillable container that meets the standards set out in 9 subsection (d) of this section. 10 (c) The term of a refillable container permit is the same as that of the 11 underlying license. 12 The hours of sale for a refillable container permit are the same as those (2)13 for the underlying license. 14 (3)An applicant who holds an underlying license without an off-sale 15 privilege shall meet the same advertising, posting of notice, and public hearing requirements as those for the underlying license. 16 17 (d) (1) To be used as a refillable container for beer under the authority of a refillable container permit, a container shall: 18 19 (i) have a capacity of not less than 32 ounces and not more than 128 20 ounces; 21be sealable; (ii) 22 be branded with an identifying mark of the seller of the (iii) 23container; 24bear the federal health warning statement required for (iv) 25containers of alcoholic beverages under 27 C.F.R. 16.21; 26 display instructions for cleaning the container; and (v) bear a label stating that: 27 (vi)

cleaning the container is the responsibility of the

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- 1 2. the contents of the container are perishable and should be 2 refrigerated immediately and consumed within 48 hours after purchase. 3 (2)The Comptroller may adopt standards regarding containers that qualify for use as refillable containers for beer, including containers originating from 4 outside the State. 5 6 The holder of a refillable container permit may refill a refillable (3)7 container originating from inside or outside the State that meets the standards adopted by the Comptroller under paragraph (2) of this subsection. 8 9 4-1106.10 There is a nonrefillable container permit. (a) 11 A nonrefillable container permit authorizes the permit holder to sell draft beer 12 for off-premises consumption by packaging the beer in a nonrefillable container that meets 13 the standards set out in subsection (d) of this section. 14 (c) (1) The term of a nonrefillable container permit is the same as that of the 15 underlying license. 16 The hours of sale for a nonrefillable container permit are the same as (2)those for the underlying license. 17 18 An applicant who holds an underlying license without an off-sale 19 privilege shall meet the same advertising, posting of notice, and public hearing requirements as those for the underlying license. 20 21To be used as a nonrefillable container for draft beer under the authority of a nonrefillable container permit, a container shall: 2223 be constructed out of aluminum; (1) 24 (2)be sealable: 25(3) have a capacity of 32 ounces: 26 be branded with the identifying marks of the seller of the container; and (4) 27 bear the federal health warning statement required for containers of 28alcoholic beverages under 27 C.F.R. § 16.21.
- 29 25–102.
- This title applies only in Montgomery County.





29 (2) A NONREFILLABLE CONTAINER PERMIT FOR DRAFT BEER UNDER 30 § 25–1104.1 OF THIS TITLE.

	Speaker of the House of Delegates. President of the Senate.
	Governor.
approved:	
, 2021.	