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1996 Regular Session
6lr1381

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**By:** ~~Delegate Walkup~~ Delegates Walkup and W. Baker
Introduced and read first time: February 1, 1996
Assigned to: Economic Matters

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Committee Report:  Favorable with amendments
House action: Adopted
Read second time: March 13, 1996

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CHAPTER ____

1  AN ACT concerning

2  **Kent County and Queen Anne's County - Alcoholic Beverages**
3  **(Pub-Brewery in Kent County and Queen Anne's County)**

4  FOR the purpose of including Kent County and Queen Anne's County among those
5       jurisdictions in which a pub-brewery alcoholic beverages license maybe issued; and
6       generally relating to alcoholic beverages in Kent County and Queen Anne's County.

7  BY repealing and reenacting, with amendments,
8       Article 2B - Alcoholic Beverages
9       Section 2-207
10      Annotated Code of Maryland
11      (1994 Replacement Volume and 1995 Supplement)

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

14      **Article 2B - Alcoholic Beverages**

15  2-207.

16      (a) A Class 6 pub-brewery license shall be issued:

17          (1) By the State Comptroller;

18          (2) Only to a holder of a Class B beer, wine and liquor (on-sale) license that
19  is issued for use on the premises of a restaurant located in the jurisdictions listed in
20  paragraph (3) of this subsection; and

21          (3) Only in the following jurisdictions:

22              (i) Anne Arundel County;

1                 (ii) Anne Arundel County - City of Annapolis;

2                 (iii) Baltimore City;

3                 (iv) Baltimore County;

4                 (v) The thirteenth election district of Carroll County;

5                 (vi) Cecil County;

6                 (vii) Charles County;

7                 (viii) Frederick County;

8                 (ix) Harford County;

9                 (x) KENT COUNTY;

10               (XI) Montgomery County - City of Gaithersburg;

11               (XII) QUEEN ANNE'S COUNTY;

12               [(xi)] (XII) (XIII)  Washington County; and

13               [(xii)] (XIII) (XIV)  Worcester County.

14     (b) A holder of a Class 6 pub-brewery license:

15          (1) May brew malt beverages at a single location for consumption on the
16 restaurant premises; and

17          (2) Is limited to the brewing of 2,000 barrels of malt beverageeach calendar
18 year.

19     (c) The pub-brewery premises shall be located immediately adjacent to the
20 restaurant where the brewed beverage is to be sold to the public.

21     (d) The Class 6 pub-brewery license is void if:

22          (1) The restaurant ceases to be operated as a restaurant; or

23          (2) The holder's Class B beer, wine and liquor (on-sale) license is revoked
24 or transferred to a different location.

25     (e) If the holder's Class B beer, wine and liquor (on-sale) license is suspended,
26 the Class 6 pub-brewery license shall be suspended for the same period of time.

27     (f) Except for a license transferred to a new location, a Class 6 pub-brewery
28 license may be transferred under § 10-503 of this article if an application for transfer is
29 filed with the local licensing board and simultaneously filed with the Office of the
30 Comptroller.

31     (g) (1) In the City of Annapolis, Anne Arundel County, Baltimore City,
32 Baltimore County, and Charles County, the holder of a Class 6 pub-brewery license may
33 sell malt beverages for off-premises consumption in sealed refillable containers.

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1          (2) The containers may be returned and at the time of refill shall be sealed
2  by the pub-brewery licensee.

3          (3) A holder of a Class 6 pub-brewery license in the City of Annapolis,
4  Anne Arundel County, Baltimore City, Baltimore County, or Charles County, may not sell
5  malt beverages to any retail alcoholic beverages licensee in this Statefor the purpose of
6  a subsequent sale or distribution of that malt beverage under the retail license.

7          (h) In Montgomery County, within the City of Gaithersburg, a holder of a Class 6
8  pub-brewery license shall enter into a written agreement with the Department of Liquor
9  Control for Montgomery County for the sale and resale of all malt beverages brewed
10  under this license in accordance with this article.

11          SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
12  October 1, 1996.