
By: Senator Hafer

Introduced and read first time: January 31, 1996

Assigned to: Economic and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Garrett County - Alcoholic Beverages**
3 **(Pub- and Micro-Breweries)**

4 FOR the purpose of including Garrett County among those jurisdictions in which a
5 pub-brewery and a micro-brewery alcoholic beverages license may be issued; and
6 generally relating to alcoholic beverages in Garrett County.

7 BY repealing and reenacting, with amendments,
8 Article 2B - Alcoholic Beverages
9 Section 2-207 and 2-208
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;

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

24 (iii) Baltimore City;

25 (iv) Baltimore County;

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

27 (vi) Cecil County;

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1 (vii) Charles County;

2 (viii) Frederick County;

3 (ix) GARRETT COUNTY;

4 (X) Harford County;

5 [(x)] (XI) Montgomery County - City of Gaithersburg;

6 [(xi)] (XII) Washington County; and

7 [(xii)] (XIII) Worcester County.

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

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

11 (2) Is limited to the brewing of 2,000 barrels of malt beverage each calendar
12 year.

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

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

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

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

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

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

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

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

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

34 (h) In Montgomery County, within the City of Gaithersburg, a holder of a Class 6
35 pub-brewery license shall enter into a written agreement with the Department of Liquor

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1 Control for Montgomery County for the sale and resale of all malt beverages brewed
2 under this license in accordance with this article.

3 2-208.

4 (a) There is a Class 7 micro-brewery (on- and off-sale) license.

5 (b) The license shall be issued:

6 (1) By the State Comptroller;

7 (2) Only in the following jurisdictions:

8 (i) Allegany County;

9 (ii) Baltimore City;

10 (iii) Baltimore County;

11 (iv) The City of Annapolis;

12 (v) Anne Arundel County;

13 (vi) The thirteenth election district of Carroll County;

14 (vii) Charles County;

15 (viii) Dorchester County;

16 (ix) GARRETT COUNTY;

17 (X) Howard County; and

18 [(x)] (XI) Prince George's County; and

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

22 (c) (1) A holder of a Class 7 micro-brewery license:

23 (i) May brew and bottle malt beverages at a single location; and

24 (ii) May not brew more than 10,000 barrels of malt beverage each
25 calendar year.

26 (2) In Allegany County only, the holder of a Class 7 license:

27 (i) May brew in one location and may contract for the bottling of the
28 malt beverage in another location; and

29 (ii) Need not meet the hotel/motel requirements for a Class B beer,
30 wine and liquor licensee but shall meet the requirements for those Class B restaurants.

31 (d) (1) The on-sale privilege authorizes the holder to sell at retail beer brewed
32 under this license to customers for consumption on the licensed premises.

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1 (2) The off-sale privilege authorizes the holder to sell and deliver beer
2 brewed under this license to:

3 (i) Any wholesaler licensed under this article to sell beer in this State;
4 or

5 (ii) Any person who is located in a state other than Maryland who is
6 authorized under the laws of that state to receive brewed beverages.

7 (3) In the City of Annapolis, Anne Arundel County, Baltimore City,
8 Baltimore County, Charles County, Howard County, and Prince George's County only,
9 the holder may sell at retail beer brewed under this license to customers for consumption
10 off the licensed premises in refillable containers that are sealed by the micro-brewery
11 licensee at the time of each refill.

12 (e) A holder of a Class 7 micro-brewery license:

13 (1) May not own, operate or be affiliated with any other manufacturer of
14 beer; and

15 (2) Notwithstanding § 2-201(b) of this article, may not be granted a
16 wholesale alcoholic beverages license.

17 (f) The hours and days for consumer sales under this license are as established
18 for a Class B license in the respective jurisdictions listed in subsection (b)(2) of this
19 section.

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