
By: Delegate Donoghue

Introduced and read first time: January 15, 1997

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Family Beer and Wine Facility Permit - Sampling Privileges**

3 FOR the purpose of altering the fee for a family beer and wine facility permit; adding a
4 sampling privilege to holders of the family beer and wine facility permit; specifying
5 the sampling privilege; and generally relating to the family beer and wine facility
6 permit and a sampling privilege.

7 BY repealing and reenacting, with amendments,
8 Article 2B - Alcoholic Beverages
9 Section 2-101(b)(1)(i) and (s)
10 Annotated Code of Maryland
11 (1996 Replacement Volume)

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 2-101.

16 (b) (1) (i) The Office of the Comptroller shall collect a fee for the issuance or
17 renewal of the following permits:

18 1. \$50 for a solicitor's permit, an individual storage permit, or a
19 commercial nonbeverage permit;

20 2. \$75 for a public storage permit, a public transportation
21 permit, or an import and export permit; [and]

22 3. \$100 for a public storage and transportation permit, a
23 nonresident dealer permit, OR a bulk transfer permit[, or a family beer and wine facility
24 permit]; AND

25 4. \$600 FOR A FAMILY BEER AND WINE FACILITY PERMIT.

26 (s) (1) In this subsection, "permit" means a family beer and wine facility permit.

27 (2) A permit authorizes the holder to establish a facility for the production
28 of family beer or wine by nonlicensed State consumers who are of legal drinking age.

2

1 (3) The permit holder may provide equipment, raw materials, and
2 instructions to the consumer. Except for beer or wine produced for testing equipment or
3 recipes AND SAMPLES DESCRIBED IN PARAGRAPH (5) OF THIS SUBSECTION, the
4 permit holder may not engage in the actual production or manufacture of beer or wine.

5 (4) All family beer and wine produced at a family beer and wine facility shall
6 be removed from the premises by the consumer. It may only be used for home
7 consumption and the personal use of the consumer.

8 (5) (I) THE PERMIT INCLUDES A SAMPLING PRIVILEGE.

9 (II) PATRONS MAY HAVE A MAXIMUM OF FIVE SAMPLES AND THE
10 SAMPLES MAY NOT EXCEED 2 OUNCES PER SAMPLE.

11 (III) SAMPLES MAY ONLY BE CONSUMED ON THE PREMISES BY A
12 PERSON WHO HAS A NONREFUNDABLE CONTRACT TO BREW AT THAT FACILITY.

13 (6) The Office of the Comptroller may restrict a family beer and wine
14 facility permit to the production of either family produced beer or family produced wine.

15 [[6]] (7) The holder of a permit may not simultaneously hold any other
16 license issued pursuant to this article.

17 [[7]] (8) The Office of the Comptroller may promulgate regulations
18 regarding limits on the quantities produced, requirements for record keeping, and any
19 other activities that relate to the operation of a family beer and wine facility.

20 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
21 October 1, 1997.