

HOUSE BILL 136

A1
HB 1302/06 – ECM

8lr0702

By: **Delegates Hecht, Bartlett, G. Clagett, Elliott, Kullen, McComas, Stull, and Weldon**

Introduced and read first time: January 18, 2008

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Micro-Breweries – Sales and Delivery of Beer to Licensed Retailers**

3 FOR the purpose of authorizing certain holders of a Class 7 micro-brewery license to
4 sell and deliver a certain number of barrels of beer each calendar year to
5 persons licensed to sell beer at retail in the State; making a stylistic change;
6 and generally relating to holders of a Class 7 micro-brewery license.

7 BY repealing and reenacting, without amendments,
8 Article 2B – Alcoholic Beverages
9 Section 2–208(a)
10 Annotated Code of Maryland
11 (2005 Replacement Volume and 2007 Supplement)

12 BY repealing and reenacting, with amendments,
13 Article 2B – Alcoholic Beverages
14 Section 2–208(d)
15 Annotated Code of Maryland
16 (2005 Replacement Volume and 2007 Supplement)

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

19 **Article 2B – Alcoholic Beverages**

20 2–208.

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (d) (1) The on-sale privilege authorizes the holder, each calendar year, to
2 sell at retail up to 4,000 barrels of beer brewed under this license to customers for
3 consumption on the licensed premises.

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

6 (i) Any wholesaler licensed under this article to sell beer in
7 [this] **THE** State; [or]

8 (ii) Any person who is located in a state other than Maryland
9 who is authorized under the laws of that state to receive brewed beverages; **OR**

10 **(III) SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, ANY**
11 **PERSON LICENSED UNDER THIS ARTICLE TO SELL BEER AT RETAIL IN THE**
12 **STATE.**

13 **(3) (I) TO SELL AND DELIVER BEER TO PERSONS LICENSED TO**
14 **SELL BEER AT RETAIL IN THE STATE, A HOLDER OF A CLASS 7 MICRO-BREWERY**
15 **LICENSE SHALL BE A CORPORATION THAT FOR AT LEAST 2 YEARS HAS HELD A**
16 **CERTIFICATE OF GOOD STANDING ISSUED BY THE STATE DEPARTMENT OF**
17 **ASSESSMENTS AND TAXATION.**

18 **(II) A HOLDER OF A CLASS 7 MICRO-BREWERY LICENSE**
19 **MAY NOT SELL AND DELIVER MORE THAN 5,000 BARRELS OF BEER IN A**
20 **CALENDAR YEAR TO PERSONS LICENSED TO SELL BEER AT RETAIL IN THE**
21 **STATE.**

22 ~~[(3)]~~ **(4)** (i) This paragraph applies only in:

23 1. Allegany County;

24 2. The City of Annapolis;

25 3. Anne Arundel County;

26 4. Baltimore City;

27 5. Baltimore County;

28 6. Calvert County;

29 7. Carroll County;

30 8. Charles County;

- 1 9. Dorchester County;
- 2 10. Frederick County;
- 3 11. Garrett County;
- 4 12. Harford County;
- 5 13. Howard County;
- 6 14. Montgomery County;
- 7 15. Prince George’s County; and
- 8 16. Talbot County.

9 (ii) The holder may sell at retail beer brewed under this license
10 to customers for consumption off the licensed premises in refillable containers that are
11 sealed by the micro–brewery licensee at the time of each refill.

12 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
13 July 1, 2008.