

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 717
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Smigiel” and substitute “Smigiel, Wood, Bohanan, and O’Donnell”; in line 6, strike “sell certain foods and beverages,”; in line 7, after the second “premises” insert “under certain circumstances”; in line 8, after “merchandise,” insert “prohibiting a license holder or entity in which a license holder has a pecuniary interest from acting as a caterer of food; specifying the times when certain activities may be conducted; providing that a Class 1 manufacturer’s license allows the holder to operate a certain number of days a week, with a certain exception; requiring a license holder to file with the Comptroller a notice of a promotional event at least a certain time before the event is held; prohibiting a license holder from selling or allowing to be consumed at the licensed premises certain products, with a certain exception; providing that this Act does not limit the application of certain laws and regulations”.

AMENDMENT NO. 2

On page 1, in line 19, before “A” insert “(A)”.

On page 2, in line 19, after “**PREMISES;**” insert “AND”.

On pages 2 and 3, strike in their entirety the lines beginning with line 20 on page 2 through line 10 on page 3, inclusive.

On page 3, in line 11, strike “**(IV) SELL**” and substitute “**(III) SUBJECT TO SUBSECTION (B) OF THIS SUBSECTION, SELL**”; and after line 15, insert:

(Over)

“(B) A HOLDER OF THE LICENSE MAY SELL BOTTLES OF PRODUCTS UNDER SUBSECTION (A)(6)(III) OF THIS SECTION ONLY IF THE HOLDER MANUFACTURES NOT MORE THAN 27,500 GALLONS OF PRODUCTS ANNUALLY.

(C) A HOLDER OF A CLASS 1 MANUFACTURER’S LICENSE OR ENTITY IN WHICH A HOLDER HAS A PECUNIARY INTEREST MAY NOT ACT AS A CATERER OF FOOD.

(D) SUBJECT TO SUBSECTION (E) OF THIS SECTION, A LICENSE HOLDER MAY CONDUCT THE ACTIVITIES SPECIFIED IN SUBSECTION (A)(6) OF THIS SECTION:

(1) FOR CONSUMPTION OFF THE LICENSED PREMISES OF PRODUCTS MANUFACTURED AT THE LICENSED PREMISES AND FOR SAMPLING, EACH DAY FROM 10 A.M. TO 10 P.M.; AND

(2) FOR CONSUMPTION ON THE LICENSED PREMISES OF PRODUCTS MANUFACTURED AT THE LICENSED PREMISES:

(I) FROM 10 A.M. TO 6 P.M. EACH DAY; OR

(II) IF GUESTS ARE ATTENDING A PLANNED PROMOTIONAL EVENT OR OTHER ORGANIZED ACTIVITY ON THE LICENSED PREMISES, FROM 10 A.M. TO 10 P.M. EACH DAY.

(E) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A CLASS 1 MANUFACTURER’S LICENSE ALLOWS THE HOLDER TO OPERATE 7 DAYS A WEEK.

(2) IN GARRETT COUNTY, A LICENSE HOLDER MAY OPEN ON SUNDAYS TO ENGAGE IN THE ACTIVITIES LISTED IN SUBSECTION (A)(6) OF THIS SECTION ONLY IN AN ELECTION DISTRICT WHERE THE VOTERS, IN A REFERENDUM AUTHORIZED BY LAW, HAVE APPROVED SUNDAY SALES AT A DISTILLERY.

(F) AT LEAST 14 DAYS BEFORE HOLDING A PLANNED PROMOTIONAL EVENT AFTER 6 P.M., A LICENSE HOLDER SHALL FILE A NOTICE OF THE PROMOTIONAL EVENT WITH THE COMPTROLLER ON THE FORM THAT THE COMPTROLLER PROVIDES.

(G) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A LICENSE HOLDER MAY NOT SELL OR ALLOW TO BE CONSUMED AT THE LICENSED PREMISES ANY PRODUCT OTHER THAN PRODUCTS PRODUCED BY THE LICENSE HOLDER UNDER THE AUTHORITY OF THIS SECTION.

(2) A HOLDER OF A CATERER'S LICENSE OR PRIVILEGE UNDER TITLE 6, SUBTITLE 7 OF THIS ARTICLE MAY EXERCISE THE PRIVILEGES OF THE LICENSE OR PRIVILEGE ON THE LICENSED PREMISES OF THE LICENSE HOLDER.

(H) NOTHING IN THIS SECTION LIMITS THE APPLICATION OF RELEVANT PROVISIONS OF TITLE 21 OF THE HEALTH – GENERAL ARTICLE, AND REGULATIONS ADOPTED UNDER THAT TITLE, TO A LICENSE HOLDER.”.