

Department of Legislative Services
Maryland General Assembly
2012 Session

FISCAL AND POLICY NOTE
Revised

House Bill 1047
Economic Matters

(Howard County Delegation)

Education, Health, and Environmental Affairs

Howard County - Alcoholic Beverages - Refillable Beer Containers
Ho. Co. 10-12

This bill authorizes the Howard County Board of License Commissioners to issue a refillable container permit to a holder of any class of alcoholic beverages license issued by the board except a Class C license and a Class GC (golf course) license.

The bill takes effect July 1, 2012.

Fiscal Summary

State Effect: None.

Local Effect: None. Howard County can monitor licenses with existing resources.

Small Business Effect: Potential meaningful positive impact for eligible license holders.

Analysis

Bill Summary: A refillable container license may be issued, at no cost, to a holder of any class of alcoholic beverages license except a Class C and Class GC license upon completion of the application provided by the board. The license entitles the holder to sell draft beer for consumption off the licensed premises in a refillable container with a capacity of not less than 32 ounces and not more than 128 ounces.

The refillable container used must:

- be sealable;
- be branded with an identifying mark of the license holder;
- bear the federal health warning statement required for containers of alcoholic beverages under federal law;
- display instructions for cleaning the container; and
- bear a label stating that cleaning the container is the responsibility of the consumer, and the contents of the container are perishable and should be refrigerated immediately and consumed within 48 hours after purchase.

The term of a refillable container permit issued to an applicant and the hours of sale for the permit are the same as that of the applicant's alcoholic beverages license, and a holder of a refillable container permit may refill only a refillable container that was branded by the permit holder. Additionally, an applicant who holds an alcoholic beverages license without an off-sale privilege must meet the same advertising, posting of notice, and public hearing requirements as those for the alcoholic beverages license that the applicant holds.

Current Law: Statewide law prohibits any retail dealer, or agent or employee of such retail dealer from refilling any container of alcoholic beverages with any substance whatsoever after such container has once been emptied of its original contents.

Background: In the retail alcoholic beverages industry, refillable containers are commonly called "growlers."

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Howard County, Department of Legislative Services

Fiscal Note History: First Reader - February 23, 2012
mlm/hlb Revised - House Third Reader - April 4, 2012
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