

# SENATE BILL 955

A1

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By: **Senator Brinkley**

Introduced and read first time: February 14, 2013

Assigned to: Rules

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## A BILL ENTITLED

1 AN ACT concerning

2 **Alcoholic Beverages – Refillable Containers – Class 5 Manufacturer’s License**

3 FOR the purpose of authorizing the State Comptroller to issue a refillable container  
4 permit to a holder of a Class 5 manufacturer’s license; providing for the renewal  
5 of the permit; authorizing a holder of a refillable container permit to sell draft  
6 beer in certain refillable containers for consumption off the licensed premises;  
7 specifying the hours of sale for the permit; providing that a holder of the permit  
8 may refill only a refillable container that was branded by the permit holder;  
9 authorizing the Comptroller to adopt certain regulations; and generally relating  
10 to the issuance of a refillable container permit to a holder of a Class 5  
11 manufacturer’s license.

12 BY repealing and reenacting, with amendments,  
13 Article 2B – Alcoholic Beverages  
14 Section 2–206  
15 Annotated Code of Maryland  
16 (2011 Replacement Volume and 2012 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 2–206.

21 (a) A Class 5 manufacturer’s license:

22 (1) Is a brewery license; and

23 (2) Authorizes the holder to:

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (i) Establish and operate in this State a plant for brewing and  
2 bottling malt beverages at the location described in the license;

3 (ii) Import beer from holders of nonresident dealer's permits;  
4 and

5 (iii) Sell and deliver beer to any wholesale licensee in this State,  
6 or person outside of this State, authorized to acquire it.

7 (b) A licensee may:

8 (1) Serve to a person of legal drinking age who participates in a guided  
9 tour of the facility or attends a scheduled promotional event or other organized activity  
10 at the licensed premises, not more than six samples of beer brewed at the licensed  
11 premises, with each sample consisting of not more than 3 ounces from a single style of  
12 beer; and

13 (2) Sell beer brewed at the brewery for off-premises consumption to  
14 anyone who participates in a guided tour of the brewery or attends a scheduled  
15 promotional event or other organized activity at the licensed premises, subject to the  
16 following restrictions:

17 (i) The purchase is limited to 288 ounces of beer per person;  
18 and

19 (ii) The person has attained the legal drinking age.

20 (c) (1) The Office of the Comptroller may issue a special brewery  
21 promotional event permit to a holder of a Class 5 manufacturer's license.

22 (2) The permit authorizes the holder to conduct on the premises of the  
23 brewery a promotional event at which the holder may:

24 (i) Provide samples of not more than 3 fluid ounces per brand to  
25 consumers; and

26 (ii) Sell beer produced by the holder to persons who participate  
27 in the event.

28 (3) The beer at the event shall be sold by the glass and for  
29 consumption on the premises only.

30 (4) A holder of a Class 5 manufacturer's license may not be issued  
31 more than 12 permits in a calendar year.

32 (5) A single promotional event may not exceed 3 consecutive days.



1                   **1.   CLEANING   THE   CONTAINER   IS   THE**  
2 **RESPONSIBILITY OF THE CONSUMER; AND**

3                   **2.   CONTENTS OF THE CONTAINER ARE PERISHABLE**  
4 **AND SHOULD BE REFRIGERATED IMMEDIATELY AND CONSUMED WITHIN 48**  
5 **HOURS AFTER PURCHASE.**

6                   **(4)   THE HOURS OF SALE FOR A REFILLABLE CONTAINER PERMIT**  
7 **ISSUED UNDER THIS SUBSECTION ARE THE SAME AS THE HOURS WHEN A**  
8 **GUIDED TOUR, A PROMOTIONAL EVENT, OR OTHER ORGANIZED ACTIVITY AT**  
9 **THE LICENSED PREMISES AUTHORIZED UNDER SUBSECTION (B) OF THIS**  
10 **SECTION MAY BE CONDUCTED.**

11                   **(5)   A HOLDER OF A REFILLABLE CONTAINER PERMIT MAY REFILL**  
12 **ONLY A REFILLABLE CONTAINER THAT WAS BRANDED BY THE PERMIT HOLDER.**

13                   **(6)   THE   COMPTROLLER   MAY   ADOPT   REGULATIONS   TO**  
14 **IMPLEMENT THIS SUBSECTION.**

15                   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
16 July 1, 2013.