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April 24, 2015

The Honorable Lawrence J. Hogan, Jr.
Governor of Maryland
State House
100 State Circle
Annapolis, Maryland 21401

RE: *House Bill 330/Senate Bill 643 “Alcoholic Beverages – Micro-Breweries – Additional License” and Senate Bill 798 “Wicomico County – Alcoholic Beverages – Micro-Breweries – Annual Production Limit*

Dear Governor Hogan:

We have reviewed and hereby approve House Bill 330 and Senate Bills 643 and 798. House Bill 330 is identical to Senate Bill 643. Senate Bill 798 is identical to House Bill 1039, which was approved on a form letter dated April 13, 2015. Both bills amend Article 2B, § 2-208(c)(1)(v). House Bill 330 and Senate Bill 643 retabulate paragraph (1) so that (v) appears as § 2-208(c)(1)(i)5 and add language making it “subject to paragraph (ii) of this paragraph.” Senate Bill 798 (and House Bill 1039) leave the current tabulation in place, but amend (v) so that the lead in language “May not collectively brew, bottle, or contract for more than” is followed by two items. The first item states that “EXCEPT AS PROVIDED IN ITEM 2 OF THIS ITEM, 22,500 barrels of malt beverages each calendar year, [and] OR” and the second item states “IN WICOMICO COUNTY, 45,000 BARRELS OF MALT BEVERAGES EACH CALENDAR YEAR.” Combining the bills is, at best, awkward, but is possible. As combined, item (v) would read:

(v) Subject to subparagraph (ii) of this paragraph, may not collectively brew, bottle, or contract for more than:

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1. Except as provided in item 2 of this item, 22,500 barrels of malt beverages each calendar year; or

2. In Wicomico County, 45,000 barrels of malt beverages each calendar year;

The structure of this section will be corrected in the upcoming Alcoholic Beverages Article during Code Revision.

Very truly yours,

A handwritten signature in black ink, appearing to read "Brian E. Frosh". The signature is fluid and cursive, with a long horizontal stroke at the end.

Brian E. Frosh
Attorney General

BEF/SB/kk

cc: The Honorable John C. Wobensmith
Joseph M. Getty
Karl Aro