

# SENATE BILL 798

A2

5lr2887

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By: **Senators Mathias and Eckardt**

Introduced and read first time: February 19, 2015

Assigned to: Rules

Re-referred to: Education, Health, and Environmental Affairs, February 27, 2015

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 18, 2015

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Wicomico County – Alcoholic Beverages – ~~Annual Production Limit for~~**  
3 **Micro-Breweries – Annual Production Limit**

4 FOR the purpose of raising in Wicomico County the limit on the number of barrels of malt  
5 beverages that a micro-brewery may collectively brew, bottle, or contract for in a  
6 calendar year; and generally relating to micro-breweries in Wicomico County.

7 BY repealing and reenacting, with amendments,  
8 Article 2B – Alcoholic Beverages  
9 Section 2-208(c)(1)  
10 Annotated Code of Maryland  
11 (2011 Replacement Volume and 2014 Supplement)

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

14 **Article 2B – Alcoholic Beverages**

15 2-208.

16 (c) (1) A holder of a Class 7 micro-brewery license:

17 (i) May brew and bottle malt beverages at the license location;

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (ii) May obtain a Class 2 rectifying license for a premises located  
 2 within 1 mile of the existing Class 7 micro–brewery location to bottle malt beverages  
 3 brewed at the micro–brewery location only;

4 (iii) May contract with the holder of a Class 2 rectifying license held  
 5 under § 2–203 of this subtitle, a Class 5 brewery license, a Class 7 micro–brewery license,  
 6 or a Class 8 farm brewery license, or the holder of a nonresident dealer’s permit to brew  
 7 and bottle malt beverages on their behalf;

8 (iv) May store the finished product under an individual storage  
 9 permit or at a licensed public storage facility for subsequent sale and delivery to a licensed  
 10 wholesaler, an authorized person outside this State, and for shipment back to the  
 11 micro–brewery location for sale on the retail premises;

12 (v) May not collectively brew, bottle, or contract for more than:

13 **1. EXCEPT AS PROVIDED IN ITEM 2 OF THIS ITEM, 22,500**  
 14 **barrels of malt beverages each calendar year; [and] OR**

15 **2. IN WICOMICO COUNTY, 45,000 BARRELS OF MALT**  
 16 **BEVERAGES EACH CALENDAR YEAR; AND**

17 (vi) May enter into a temporary delivery agreement with a  
 18 distributor only for delivery of beer to a beer festival or wine and beer festival and the  
 19 return of any unused beer if:

20 1. The beer festival or wine and beer festival is in a sales  
 21 territory for which the holder does not have a franchise with a distributor under the Beer  
 22 Franchise Fair Dealing Act; and

23 2. The temporary delivery agreement is in writing.

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
 25 1, 2015.

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.