

HOUSE BILL 370

A1

6lr2054

By: **Delegate Barkley**

Introduced and read first time: January 28, 2016

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Alcoholic Beverages – On–Premises Promotions and Product Sampling**
3 **– Holders of Manufacturer’s Licenses**

4 FOR the purpose of altering a certain exception to allow a holder of any Maryland
5 manufacturer’s license to bring certain products onto a retail licensed premises for
6 on–premises promotions and product sampling under certain circumstances; making
7 a certain exception to a provision of law that prohibits an individual from consuming
8 on the licensed premises of a license holder a certain alcoholic beverage; and
9 generally relating to on–premises promotions and product sampling of alcoholic
10 beverages.

11 BY repealing and reenacting, without amendments,
12 Article – Alcoholic Beverages
13 Section 1–101(a) and (r)
14 Annotated Code of Maryland
15 (As enacted by Chapter ___ (S.B. ___)(6lr1406) of the Acts of the General Assembly
16 of 2016)

17 BY repealing and reenacting, with amendments,
18 Article – Alcoholic Beverages
19 Section 6–319
20 Annotated Code of Maryland
21 (As enacted by Chapter ___ (S.B. ___)(6lr1406) of the Acts of the General Assembly
22 of 2016)

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

25 **Article – Alcoholic Beverages**

26 1–101.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (a) In this article the following words have the meanings indicated.

2 (r) "Manufacturer's license" means a license issued under Title 2, Subtitle 2 of
3 this article that is:

4 (1) a Class 1 distillery license;

5 (2) a Class 2 rectifying license;

6 (3) a Class 3 winery license;

7 (4) a Class 4 limited winery license;

8 (5) a Class 5 brewery license;

9 (6) a Class 6 pub-brewery license;

10 (7) a Class 7 micro-brewery license;

11 (8) a Class 8 farm brewery license; or

12 (9) a Class 9 limited distillery license.

13 6-319.

14 (a) This section does not apply to a [Class 4 limited winery that brings wine or
15 pomace brandy] **HOLDER OF A MANUFACTURER'S LICENSE THAT BRINGS THE**
16 **PRODUCTS** manufactured on its licensed premises onto a retail licensed premises if:

17 (1) the [wine or pomace brandy] **PRODUCT** is provided for a promotional
18 activity conducted by the [limited winery] **HOLDER OF A MANUFACTURER'S LICENSE**,
19 a retail license holder, an alcoholic beverages trade association, or a nonprofit organization;

20 (2) a representative of the [limited winery] **HOLDER OF A**
21 **MANUFACTURER'S LICENSE** or a trade association representing Maryland [wineries]
22 **MANUFACTURERS** is present at all times during the promotional activity;

23 (3) the [limited winery or winery] **HOLDER OF A MANUFACTURER'S**
24 **LICENSE OR** trade association complies with any regulations that the Comptroller adopts
25 relating to on-premises promotions and product sampling;

26 (4) the [limited winery or winery] **HOLDER OF A MANUFACTURER'S**
27 **LICENSE OR** trade association has advance written permission of the retail license holder
28 to bring [wine] **THE** products on the retail licensed premises for the promotional activity;
29 and

1 (5) all unopened or partially consumed containers of [wine and pomace
2 brandy] **THE PRODUCTS** are removed from the retail licensed premises at the end of the
3 promotional activity.

4 (b) An individual may not consume on the licensed premises of a license holder
5 an alcoholic beverage that is:

6 (1) not purchased on the premises from the license holder; and

7 (2) not otherwise allowed by this article to be consumed on the premises.

8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
9 1, 2016.