

HOUSE BILL 733

A1

6lr2052

By: **Delegate Barkley**

Introduced and read first time: February 5, 2016

Assigned to: Economic Matters

Committee Report: Favorable

House action: Adopted

Read second time: March 13, 2016

CHAPTER _____

1 AN ACT concerning

2 **Alcoholic Beverages – Multiple Manufacturer’s Licenses – Sampling, Sale, and**
3 **Consumption of Products**

4 FOR the purpose of repealing certain provisions of law that prohibit certain holders of
5 certain alcoholic beverage manufacturer’s licenses from selling or allowing to be
6 consumed at certain locations certain products; authorizing the holder of a farm
7 brewery license to apply for and obtain, under a different name, additional licenses
8 for the same or different premises; authorizing the holder of multiple manufacturer’s
9 licenses to allow the sampling, sale, and consumption of certain products at certain
10 locations, subject to a certain restriction; and generally relating to authority for
11 holders of certain alcoholic beverage manufacturer’s licenses to allow the sampling,
12 sale, and consumption of certain products.

13 BY repealing and reenacting, with amendments,

14 Article – Alcoholic Beverages

15 Section 2–202(i), 2–204(g), 2–206(b)(10), 2–210(i), (j), (k), and (l), and 2–212(a)

16 Annotated Code of Maryland

17 (As enacted by Chapter ___ (S.B.____)(6lr1406) of the Acts of the General Assembly of
18 2016)

19 BY repealing

20 Article – Alcoholic Beverages

21 Section 2–206(b)(9) and 2–210(h)

22 Annotated Code of Maryland

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.



(As enacted by Chapter ___ (S.B.____)(6lr1406) of the Acts of the General Assembly of
2016)

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

Article – Alcoholic Beverages

2–202.

(i) [(1) Except as provided in paragraph (2) of this subsection, a license holder
may not sell or allow to be consumed at the licensed premises any product other than
products produced by the license holder under the authority of this section.

(2)] A holder of a caterer’s license or privilege under Subtitle 5 of this title
or Subtitle 12 of various titles of Division II of this article may exercise the privileges of the
license or privilege on the licensed premises of the license holder.

2–204.

(g) [(1) Except as provided in paragraph (2) of this subsection, a license holder
may not sell or allow to be consumed at the licensed premises any product other than
products produced by the license holder under the authority of this section.

(2)] A holder of a caterer’s license or privilege under Subtitle 5 of this title
or Subtitle 12 of various titles of Division II of this article may exercise the privileges of the
license or privilege on the licensed premises of the license holder.

2–206.

(b) [(9) A license holder may not sell or allow to be consumed at the location of
the limited winery any alcoholic beverage other than the wine or pomace brandy produced
by the license holder under the authority of this section.]

[(10)] (9) Nothing in this subsection limits the application of relevant
provisions of Title 21 of the Health – General Article, and regulations adopted under that
title, to a license holder.

2–210.

[(h) Except as provided in subsection (j) of this section, a license holder may not
sell or allow to be consumed at the location of the farm brewery any alcoholic beverage
other than the beer produced by the license holder under the authority of this section.]

1 **[(i)] (H)** Nothing in this section limits the application of relevant provisions of
2 Title 21 of the Health – General Article, and regulations adopted under that title, to a
3 license holder.

4 **[(j)] (I)** (1) A license holder may sponsor a multibrewery activity at the
5 licensed farm that:

6 (i) includes the products of other Maryland breweries; and

7 (ii) provides for the sale of beer by the glass for on–premises
8 consumption only.

9 (2) In a segregated area approved by the Comptroller on the licensed farm,
10 a license holder may store the products of other Maryland breweries for the multibrewery
11 activity.

12 (3) The multibrewery activity:

13 (i) may be held from 10 a.m. to 10 p.m. each day; and

14 (ii) may not exceed 3 consecutive days.

15 **[(k)] (J)** (1) The Comptroller may issue a brewery promotional event permit
16 to a license holder.

17 (2) At least 15 days before holding a planned promotional event, the license
18 holder shall obtain a permit from the Comptroller by filing a notice of the promotional event
19 on the form that the Comptroller provides.

20 (3) The permit authorizes the license holder to conduct at the licensed farm
21 a promotional event at which the license holder may:

22 (i) provide samples of not more than 6 fluid ounces per brand to
23 consumers; and

24 (ii) sell beer produced by the license holder to persons who
25 participate in the event.

26 (4) The beer at the event shall be sold by the glass and for on–premises
27 consumption only.

28 (5) The license holder may not be issued more than 12 permits in a
29 calendar year.

30 (6) A single promotional event:

31 (i) may be held from 10 a.m. to 10 p.m. each day; and

1 (ii) may not exceed 3 consecutive days.

2 (7) The permit fee is \$25 per event.

3 ~~[(1)] (K)~~ The annual license fee is \$200.

4 2–212.

5 (a) (1) This subsection does not apply to a Class 6 pub–brewery license.

6 (2) The holder of a distillery, rectifying, winery, limited winery, [or]
7 brewery, **OR FARM BREWERY** license may apply for and obtain, under a different name,
8 one or more additional distillery, rectifying, winery, limited winery, [or] brewery, **OR FARM**
9 **BREWERY** licenses for the same or different premises.

10 **(3) (I) THE HOLDER OF MULTIPLE MANUFACTURER’S LICENSES AT**
11 **THE SAME LOCATION MAY ALLOW THE SAMPLING, SALES, AND CONSUMPTION OF**
12 **PRODUCTS PRODUCED UNDER THE LICENSES AT EACH OF THE LICENSED PREMISES.**

13 **(II) THE SAMPLING, SALES, AND CONSUMPTION OF PRODUCTS**
14 **SHALL BE CONSISTENT WITH THE AUTHORIZATION FOR EACH LICENSE.**

15 ~~[(3)] (4)~~ The additional licenses may be issued to different persons or
16 under trade names used by persons occupying all or a part of the same premises.

17 ~~[(4)] (5)~~ A holder of a license listed in paragraph (2) of this subsection
18 may hold additional licenses listed in paragraph (2) of this subsection of the same or of a
19 different class.

20 ~~[(5)] (6)~~ The holder of a micro–brewery license may apply for and obtain
21 not more than one additional micro–brewery license for another premises.

22 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
23 1, 2016.