

# HOUSE BILL 739

A1

6lr2056

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By: **Delegate Barkley**

Introduced and read first time: February 5, 2016

Assigned to: Economic Matters

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## A BILL ENTITLED

1 AN ACT concerning

2 **Alcoholic Beverages – Nonprofit Beer Festival Permit – Revisions**

3 FOR the purpose of increasing the amount of beer that a nonprofit beer festival permit  
4 holder may provide to a consumer under certain circumstances; requiring a person  
5 to submit an application for a nonprofit beer festival permit to the Comptroller  
6 instead of a local licensing board; requiring a person to provide the Comptroller  
7 instead of a local licensing board with a list of certain brewing company off-site  
8 permit holders that will attend a certain festival; making a technical correction; and  
9 generally relating to nonprofit beer festival permits.

10 BY repealing and reenacting, with amendments,

11 Article – Alcoholic Beverages

12 Section 2–131

13 Annotated Code of Maryland

14 (As enacted by Chapter \_\_\_\_ (S.B. \_\_\_\_)(6lr1406) of the Acts of the General  
15 Assembly of 2016)

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

18 **Article – Alcoholic Beverages**

19 2–131.

20 (a) There is a nonprofit beer festival permit.

21 (b) The Comptroller may issue the permit to a nonprofit organization, as defined  
22 by ~~§ 501(c)(3)~~ **§ 501(C)** of the Internal Revenue Code, that meets the requirements of this  
23 section.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (c) (1) The permit authorizes the permit holder to:

2 (i) conduct a nonprofit beer festival for at least 1 day and not more  
3 than 3 consecutive days; and

4 (ii) purchase beer at wholesale to:

5 1. provide to a consumer a sample that may not exceed [1] 4  
6 fluid [ounce] OUNCES for each offering; and

7 2. sell to a consumer beer for on- and off-premises  
8 consumption.

9 (2) The permit holder shall provide space at a nonprofit beer festival for  
10 holders of brewing company off-site permits.

11 (3) A holder of a brewing company off-site permit that attends a nonprofit  
12 beer festival may provide beer to a consumer in the same manner as the holder of the  
13 nonprofit beer festival permit.

14 (4) The permit holder may provide or sell at the nonprofit beer festival only  
15 alcoholic beverages provided by the permit holder or a holder of a brewing company off-site  
16 permit that is in attendance.

17 (d) At all times during the nonprofit beer festival, the permit holder shall have  
18 present at least two agents, one of whom may be the permit holder, who are certified by an  
19 approved alcohol awareness program.

20 (e) (1) Not less than 30 days before the nonprofit beer festival, a person shall  
21 submit an application to the [local licensing board] **COMPTROLLER**.

22 (2) The application shall:

23 (i) be on a form that the Comptroller provides;

24 (ii) state that the primary purpose of the nonprofit beer festival is to  
25 promote Maryland beer;

26 (iii) provide details of the nonprofit beer festival, including the  
27 location, dates, and times of operation; and

28 (iv) include appropriate evidence that the applicant has been given  
29 permission by the owner of the property where the nonprofit beer festival is to be held.

30 (f) Not less than 15 days before the nonprofit beer festival, the permit holder shall  
31 provide the [local licensing board] **COMPTROLLER** with a list of brewing company off-site  
32 permit holders that will attend.

1           (g)    The permit fee is \$100.

2           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
3   1, 2016.