

HB1283/343391/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 1283

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Delegate Branch” and substitute “Delegates Branch, Brooks, Barkley, Adams, Arentz, Aumann, Clippinger, Fennell, S. Howard, Lisanti, W. Miller, and Waldstreicher”.

AMENDMENT NO. 2

On page 1, in line 3, strike “repealing” and substitute “altering”; in line 7, strike “repealing” and substitute “altering”; in the same line, strike “requiring” and substitute “to authorize rather than require”; strike beginning with “and” in line 8 down through the first “license” in line 12 and substitute “; establishing certain requirements for the beer that the holder of a Class 5 brewery license serves for on-premises consumption; altering the maximum amount of beer that the license holder may sell for on-premises consumption each year; authorizing the license holder to file a request to sell up to a certain additional amount of beer in a single year under certain circumstances; requiring that beer sold in excess of a certain amount be purchased from a wholesaler”; in lines 14 and 16, in each instance, strike “Class D beer” and substitute “certain permit or”; in line 15, strike “or a certain employee”; strike beginning with “repealing” in line 17 down through “consumers;” in line 18; in line 19, after the first “licenses” insert “and permits”; in the same line, after the second “licenses” insert “and permits only”; in line 20, after “days;” insert “requiring the Comptroller to report certain information to certain committees each year; authorizing the Comptroller to include certain information in a certain report; requiring certain license holders to report certain information for certain purposes;”; in the same line, after “conforming” insert “and clarifying”; and in the same line, after “changes;” insert “providing for the termination of certain provisions of this Act;”.

AMENDMENT NO. 3

(Over)

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On page 2, in lines 12, 18, 22, and 24, in each instance, strike the bracket; in line 12, strike “not more than six”; in line 13, strike “with each sample”; in the same line, after the first “of” insert “A TOTAL OF”; in the same line, strike “3” and substitute “18”; in the same line, strike “from a single style”; in the same line, after “beer” insert “PER DAY”; in line 22, strike “(5)”; in line 24, strike “(B)(4)”; and in line 26, after “beer” insert “PER DAY”.

On page 3, in lines 1, 4, and 5, in each instance, strike the bracket; in line 1, strike “shall” and substitute “MAY”; strike beginning with “MAY” in line 2 down through “CONSUMPTION” in line 3; in line 5, strike “A” and substitute “OR A”; in the same line, after “LICENSE” insert “OR AN EQUIVALENT LICENSE UNDER PARAGRAPH (3) OF THIS SUBSECTION”; in line 9, strike “The” and substitute “EXCEPT AS PROVIDED IN SUBPARAGRAPH (III) OF THIS PARAGRAPH, THE”; in line 10, strike “500” and substitute “2,000”; after line 10, insert:

“(III) 1. IF, IN A SINGLE YEAR, THE LICENSE HOLDER REACHES 80% OF THE VOLUME AUTHORIZED TO BE SOLD FOR ON-PREMISES CONSUMPTION UNDER SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE LICENSE HOLDER MAY FILE A REQUEST WITH THE COMPTROLLER FOR PERMISSION TO SELL UP TO AN ADDITIONAL 1,000 BARRELS FOR ON-PREMISES CONSUMPTION IN THAT YEAR.

2. THE MAXIMUM VOLUME THAT A LICENSE HOLDER MAY SELL FOR ON-PREMISES CONSUMPTION IN A SINGLE YEAR IS 3,000 BARRELS.

3. ANY BEER THAT THE LICENSE HOLDER SELLS FOR ON-PREMISES CONSUMPTION IN EXCESS OF THE 2,000-BARREL LIMIT UNDER SUBPARAGRAPH (II) OF THIS PARAGRAPH SHALL BE PURCHASED FROM A WHOLESALER.”;

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in line 11, strike the bracket; in lines 15 and 16, strike “: (i)”; in line 16, strike “; and” and substitute a period; strike in their entirety lines 17 through 19, inclusive; in line 20, strike “(4)” and substitute “(5)”; in the same line, after “A” insert “LOCAL LICENSING BOARD SHALL REQUIRE THE”; in the same line, after “OF” insert “AN ON-SITE CONSUMPTION PERMIT OR”; in the same line, strike “SHALL” and substitute “OR AN EQUIVALENT LICENSE UNDER PARAGRAPH (3) OF THIS SUBSECTION TO:”

(I) COMPLY WITH THE ALCOHOL AWARENESS REQUIREMENTS UNDER § 4-505 OF THIS ARTICLE; AND

(II);

in line 25, strike the bracket and substitute “, WITH RESPECT TO INDIVIDUALS WHO HAVE ATTAINED THE LEGAL DRINKING AGE”; in line 26, after “samples” insert “CONSISTING OF A TOTAL”; in the same line, strike “3” and substitute “18”; in the same line, strike “per brand”; in line 27, strike “consumers” and substitute “A CONSUMER”; and in line 28, strike the bracket.

AMENDMENT NO. 4

On page 2, in lines 12, 18, and 22, and on page 3 in line 6, in each instance, after “beer” insert “FERMENTED AND”.

On page 2, in lines 12, 18, and 22, and on page 3 in line 6, in each instance, after “brewed” insert “ENTIRELY”.

On page 3, in line 30, after “be” insert “:

(I) FERMENTED AND BREWED ENTIRELY AT THE BREWERY;
AND

(Over)

(II)”.

AMENDMENT NO. 5

On page 4, in line 10, strike “A” and substitute “**NOTWITHSTANDING ANY PROVISION AUTHORIZING LATER SALES IN THE JURISDICTION, A**”; in the same line, after “AND” insert “**AN ON-SITE CONSUMPTION PERMIT OR**”; in line 11, after “LICENSE” insert “**OR AN EQUIVALENT LICENSE**”; in the same line, after “MAY” insert “**ONLY**”; in the same line, after the second “THE” insert “**PERMIT AND**”; in line 13, strike “7” and substitute “**9**”; and in line 15, strike “9” and substitute “**10**”.

AMENDMENT NO. 6

On page 4, after line 27, insert:

SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Alcoholic Beverages

2-207.

(I) (1) ON OR BEFORE OCTOBER 1 EACH YEAR, THE COMPTROLLER SHALL REPORT TO THE SENATE EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE AND THE HOUSE ECONOMIC MATTERS COMMITTEE, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, ON THE FOLLOWING, IDENTIFIED BY JURISDICTION AND CLASS 5 LICENSE HOLDER:

(I) THE TOTAL BEER PRODUCTION OF THE LICENSE HOLDER IN THE PRECEDING FISCAL YEAR;

(II) THE TOTAL SALES OF THE LICENSE HOLDER FOR ON-SITE CONSUMPTION UNDER AN ON-SITE CONSUMPTION PERMIT, A CLASS D BEER LICENSE, OR AN EQUIVALENT LICENSE IN THE PRECEDING FISCAL YEAR;

(III) WHETHER THE LICENSE HOLDER HAS REQUESTED PERMISSION TO SELL ADDITIONAL BEER UNDER SUBSECTION (E)(2)(III) OF THIS SECTION, AND WHETHER THE COMPTROLLER GRANTED THAT PERMISSION, FOR THE PRECEDING FISCAL YEAR; AND

(IV) THE TOTAL SALES OF THE LICENSE HOLDER OF ADDITIONAL BEER UNDER SUBSECTION (E)(2)(III) OF THIS SECTION IN THE PRECEDING FISCAL YEAR.

(2) EACH HOLDER OF A CLASS B LICENSE SHALL REPORT TO THE COMPTROLLER THE INFORMATION NEEDED TO PREPARE THE ANNUAL REPORT UNDER THIS SUBSECTION.

(3) THE COMPTROLLER MAY INCLUDE THE INFORMATION REPORTED UNDER THIS SUBSECTION IN THE ANNUAL REPORT SUBMITTED UNDER § 1-306 OF THIS ARTICLE.”;

in line 28, strike “2.” and substitute “3.”; and in line 29, after “2017.” insert “Section 2 of this Act shall remain effective for a period of 5 years and, at the end of June 30, 2022, with no further action required by the General Assembly, Section 2 of this Act shall be abrogated and of no further force and effect.”.