

HOUSE BILL 397

A2

7lr0772

By: **Montgomery County Delegation**

Introduced and read first time: January 26, 2017

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Montgomery County – Alcoholic Beverages – Licenses**

3 **MC 17–17**

4 FOR the purpose of authorizing a holder of a Class 7 micro–brewery license to obtain a
5 second location in the State to brew and bottle certain beverages produced at the
6 first micro–brewery location; exempting the holder of a Class 7 micro–brewery
7 license in Montgomery County from a certain provision of law; and generally relating
8 to alcoholic beverages licenses in Montgomery County.

9 BY repealing and reenacting, without amendments,
10 Article – Alcoholic Beverages
11 Section 2–209(a) and (e), 4–203, and 25–102
12 Annotated Code of Maryland
13 (2016 Volume and 2016 Supplement)

14 BY repealing and reenacting, with amendments,
15 Article – Alcoholic Beverages
16 Section 25–405
17 Annotated Code of Maryland
18 (2016 Volume and 2016 Supplement)

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

21 **Article – Alcoholic Beverages**

22 2–209.

23 (a) There is a Class 7 micro–brewery license.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (e) A license holder:

2 (1) may not own, operate, or be affiliated with another manufacturer of
3 beer except for a Class 2 rectifying license authorized under subsection (c)(2) of this section;
4 and

5 (2) may not be granted a wholesaler's license.

6 4-203.

7 (a) Except as otherwise provided in Division II of this article or Title 3, Title 4, or
8 Title 5 of this division, more than one license may not be issued:

9 (1) to an individual; or

10 (2) for the use of a partnership, a corporation, an unincorporated
11 association, or a limited liability company.

12 (b) Except as otherwise provided in Division II of this article or Title 3, Title 4, or
13 Title 5 of this division, an individual may not be issued in the State more than one Class A,
14 Class C, or Class D license for the use of:

15 (1) that individual; or

16 (2) a partnership, a corporation, an unincorporated association, or a
17 limited liability company.

18 25-102.

19 This title applies only in Montgomery County.

20 25-405.

21 (a) This section applies to a Class 7 micro-brewery (on- and off-sale) license in
22 the county.

23 (b) The license may be issued to the holder of:

24 (1) a Class B beer, wine, and liquor (on-sale) license that is issued for use
25 on the premises of a restaurant located in the county;

26 (2) a Class I beer and wine license; or

27 (3) a Class H beer and wine license.

28 (c) A holder of the license:

1 **(1)** shall enter into a written agreement with the Department of Liquor
2 Control for the sale and resale of malt beverages brewed under the license;

3 **(2)** MAY HAVE A SECOND LOCATION IN THE STATE TO BREW AND
4 BOTTLE THE MALT BEVERAGES PRODUCED AT THE FIRST LOCATION; AND

5 **(3)** IS NOT SUBJECT TO THE MANUFACTURING AND LICENSING
6 PROHIBITIONS UNDER § 2-209(E) OF THIS ARTICLE.

7 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
8 1, 2017.