

**HB0565/133327/1**

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 565  
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with the first “a” in line 3 down through “against” in line 6; in line 7, strike “applying for or possessing a wholesaler’s license” and substitute “to apply for and obtain a Class 8 liquor wholesaler’s license with certain privileges”; and in line 11, after “2–203” insert “, 2–212(b), 2–308.1, and 2–311”.

AMENDMENT NO. 2

On page 2, in line 15, after “(4)” insert “**EXCEPT AS AUTHORIZED UNDER SUBSECTION (D)(1) OF THIS SECTION,**”; in line 16, strike the bracket; and strike beginning with the closing bracket in line 17 down through “**THEM**” in line 21.

On page 3, in lines 6 and 7, in each instance, strike the bracket; in line 6, after “license” insert “, **EXCEPT FOR A CLASS 8 LIQUOR WHOLESALER’S LICENSE**”; in lines 9, 12, 15, and 17, in each instance, strike the brackets; in lines 9, 12, 15, and 17, strike “**(2)**”, “**(3)**”, “**(4)**”, and “**(D)(2)**”, respectively; and after line 24, insert:

“2–212.

(b) (1) The holder of a rectifying or winery license may apply for and obtain a wholesaler’s license of any class for the same premises or elsewhere as provided under this article.

(2) The holder of a Class 4 limited winery license may apply for and obtain a Class 6 limited wine wholesaler’s license for the same premises or elsewhere as provided under this article.

(3) (i) The holder of a Class 5 brewery license or Class 7 micro-brewery license may apply for and obtain a Class 7 limited beer wholesaler’s license in accordance with this paragraph.

**HB0565/133327/01 Economic Matters Committee**  
**Amendments to HB 565**  
**Page 2 of 4**

(ii) A holder of a Class 5 brewery license that was selling the holder's own beer at wholesale in the State as of January 1, 2013, may obtain a Class 7 limited beer wholesaler's license to continue to sell the holder's own beer at wholesale in the same location in an amount that is not more than 5,000 barrels annually.

(iii) A holder of a Class 5 brewery license that produces in aggregate from all its locations not more than 45,000 barrels of beer annually may obtain a Class 7 limited beer wholesaler's license and distribute not more than 5,000 barrels of its own beer annually.

(4) A holder of one or two Class 7 micro-brewery licenses that produces in aggregate from all of its locations not more than 45,000 barrels of beer annually may obtain a Class 7 limited beer wholesaler's license and distribute beer that:

(i) totals annually not more than 5,000 barrels in aggregate from all of its locations; and

(ii) has been brewed at the location from where it is distributed.

(5) The holder of a Class 1 distillery license may apply for and obtain a Class 8 liquor wholesaler's license for the same premises or elsewhere as provided under this article.

**(6) THE HOLDER OF A CLASS 9 LIMITED DISTILLERY LICENSE MAY APPLY FOR AND OBTAIN A CLASS 8 LIQUOR WHOLESALER'S LICENSE, FOR THE SAME PREMISES OR ELSEWHERE AS PROVIDED UNDER THIS ARTICLE, AND DISTRIBUTE ITS OWN LIQUOR.**

2-308.1.

(a) There is a Class 8 liquor wholesaler's license.

(b) The license may be issued only to a person that:

(1) holds a:

**(I) Class 1 distillery license; OR**

**(II) CLASS 9 LIMITED DISTILLERY LICENSE; and**

(2) produces in the aggregate from all of its locations not more than 100,000 gallons of liquor annually.

(c) The license authorizes the license holder to:

(1) sell and deliver its own liquor produced at the license holder's premises to:

(i) a holder of a retail license that is authorized to acquire liquor from a wholesaler; and

(ii) a holder of a permit that is authorized to acquire liquor from a wholesaler; and

(2) distribute not more than 27,500 gallons of its own liquor annually.

(d) The annual license fee is \$100.

(e) The license holder may use an additional location for the warehousing, sale, and delivery of liquor:

(1) if approved by the Comptroller following submission of a separate application for each location; and

(2) on the payment of a \$100 fee for each additional location.

2-311.

(a) The holder of a Class 1, Class 2, or Class 3 wholesaler's license may obtain more than one such license [provided] IF separate records are kept.

(b) (1) The holder of a rectifying or winery license may apply for and obtain a wholesaler's license of any class for the same premises or elsewhere as provided under this article.

(Over)

**HB0565/133327/01 Economic Matters Committee**  
**Amendments to HB 565**  
**Page 4 of 4**

(2) The holder of a Class 4 limited winery license may apply for and obtain a Class 6 limited wine wholesaler's license for the same premises or elsewhere as provided under this article.

(3) (i) The holder of a Class 5 manufacturer's license or Class 7 micro-brewery license may apply for and obtain a Class 7 limited beer wholesaler's license in accordance with this paragraph.

(ii) A holder of a Class 5 manufacturer's license that was selling the holder's own beer at wholesale in the State as of January 1, 2013, may obtain a Class 7 limited beer wholesaler's license to continue to sell the holder's own beer at wholesale in the same location in an amount that is not more than 5,000 barrels annually.

(iii) A holder of a Class 5 manufacturer's license that produces in aggregate from all its locations not more than 45,000 barrels of beer annually may obtain a Class 7 limited beer wholesaler's license and distribute not more than 5,000 barrels of its own beer annually.

(iv) A holder of one or two Class 7 micro-brewery licenses that produces in aggregate from all of its locations not more than 45,000 barrels of beer annually may obtain a Class 7 limited beer wholesaler's license and distribute beer that:

1. totals annually not more than 5,000 barrels in aggregate from all of its locations; and

2. has been brewed at the location from where it is distributed.

**(4) A HOLDER OF A CLASS 9 LIMITED DISTILLERY LICENSE MAY APPLY FOR AND OBTAIN A CLASS 8 LIQUOR WHOLESALER'S LICENSE, FOR THE SAME PREMISES OR ELSEWHERE AS PROVIDED UNDER THIS ARTICLE, AND DISTRIBUTE ITS OWN LIQUOR."**