

Chapter 144

(Senate Bill 1039)

AN ACT concerning

Alcoholic Beverages – Class 5 Breweries – On-Premises Consumption

FOR the purpose of increasing the percentage of beer not produced by the holder of a Class 5 brewery license that the license holder is permitted to sell for on-premises consumption under certain circumstances; and generally relating to Class 5 breweries and on-site consumption.

BY repealing and reenacting, without amendments,
Article – Alcoholic Beverages and Cannabis
Section 2–207(b) and (f)(1)(i)
Annotated Code of Maryland
(2024 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Alcoholic Beverages and Cannabis
Section 2–207(f)(2)
Annotated Code of Maryland
(2024 Replacement Volume)

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

Article – Alcoholic Beverages and Cannabis

2–207.

(b) There is a Class 5 brewery license.

(f) (1) (i) A local licensing board may grant an on-site consumption permit to an applicant that holds a Class 5 brewery license and, subject to paragraph (5) of this subsection, a Class D beer license.

(2) Subject to the maximum volume limit under paragraph (4) of this subsection, a Class D beer license or an equivalent license under paragraph (5) of this subsection entitles the holder to sell to an individual who has attained the legal drinking age, for on-premises consumption at the brewery:

(i) beer:

1. of which the holder of the Class 5 license is the brand owner; and

2. that is fermented and brewed entirely by the license holder at a location authorized by this section;

(ii) beer that is fermented and brewed entirely at the brewery under contract with a brand owner who does not possess a Class 5 license; and

(iii) subject to paragraph (3) of this subsection, beer brewed at a location other than the Class 5 brewery if:

1. the brand owner of the beer is the holder of the Class 5 license or an affiliate of the holder of the Class 5 license;

2. the number of barrels of the beer sold for on-premises consumption under the Class D beer license or an equivalent license or an on-site consumption permit in a calendar year does not exceed the greater of:

A. ~~[25%]~~ **35%** of the total number of barrels of beer sold for on-premises consumption under the Class D license or an equivalent license or an on-site consumption permit in that calendar year; or

B. 1.2% of total finished production under the Class 5 brewery license; and

3. A. the license holder contracts with or on behalf of a holder of a manufacturer's license or nonresident dealer's permit; or

B. the beer is manufactured by an affiliate of the license holder.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2025.

Approved by the Governor, April 22, 2025.