

Department of Legislative Services
Maryland General Assembly
2013 Session

FISCAL AND POLICY NOTE

House Bill 649
Economic Matters

(Montgomery County Delegation)
Education, Health, and Environmental Affairs

Montgomery County - Alcoholic Beverages - Refillable Beer Containers
MC 4-13

This bill authorizes the Montgomery County Board of License Commissioners to issue a refillable container permit to a holder of a Class B or Class D beer and light wine license issued in the county.

The bill takes effect July 1, 2013.

Fiscal Summary

State Effect: None.

Local Effect: Montgomery County can monitor licenses with existing resources. Since there is no additional license fee for the refillable container permit, Montgomery County revenues will not be affected.

Small Business Effect: Potential meaningful positive impact for eligible license holders.

Analysis

Bill Summary: A refillable container permit entitles the holder to sell draft beer for consumption off the licensed premises in a refillable container with a capacity of not less than 32 ounces and not more than 128 ounces.

The refillable container used must:

- be sealable;

- be branded with an identifying mark of the license holder;
- bear the federal health warning statement;
- display instructions for cleaning the container; and
- bear a label stating that cleaning the container is the responsibility of the consumer, and that the contents of the container are perishable and should be refrigerated immediately and consumed within 48 hours after purchase.

The term of a refillable container permit is the same as that of the applicant's alcoholic beverage license. Authorized license holders may refill only those containers that were branded by the license holder. The board is authorized to adopt implementing regulations.

Current Law: Statewide law prohibits any retail dealer, or agent or employee of such retail dealer from refilling any container of alcoholic beverages with any substance whatsoever after such container has once been emptied of its original contents, except in Baltimore City and Howard County.

The General Assembly adopted legislation in 2012 pertaining to refillable beer containers in Baltimore City and Howard County. Chapters 92 and 93 (HB 401/SB 874) authorized the Baltimore City Board of License Commissioners to issue refillable container licenses, and Chapter 412 (HB 1047) allowed the Howard County Board of License Commissioners to issue refillable container permits. Both jurisdictions limit the refillable container to a capacity of not more than 128 ounces.

Background: In the retail alcoholic beverages industry, refillable containers are commonly called "growlers."

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Montgomery County, Department of Legislative Services

Fiscal Note History: First Reader - February 21, 2013
ncs/hlb

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