

HOUSE BILL 330

A1

5lr1645
CF 5lr1644

By: **Allegany County Delegation**

Introduced and read first time: February 5, 2015

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Alcoholic Beverages – Micro–Breweries and Farm Breweries**

3 FOR the purpose of authorizing the holder of a micro–brewery or farm brewery license to
4 apply for and obtain one or more certain additional licenses for the same or another
5 premises; providing that certain provisions of law that prohibit a holder of a
6 micro–brewery license from owning, operating, or being affiliated with certain other
7 manufacturers of beer, or being granted a wholesaler alcoholic beverages license, do
8 not apply in Allegany County or Frederick County; and generally relating to alcoholic
9 beverages manufacturers in the State.

10 BY repealing and reenacting, with amendments,
11 Article 2B – Alcoholic Beverages
12 Section 2–201(b) and 2–208(e)
13 Annotated Code of Maryland
14 (2011 Replacement Volume and 2014 Supplement)

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

17 **Article 2B – Alcoholic Beverages**

18 2–201.

19 (b) (1) This subsection does not apply to a Class 6 pub–brewery license.

20 (2) The holder of a distillery, rectifying, winery, limited winery, [or]
21 brewery, **MICRO–BREWERY, OR FARM BREWERY** license may apply for and obtain, under
22 a different name, one or more additional distillery, rectifying, winery, limited winery, [or]
23 brewery, **MICRO–BREWERY, OR FARM BREWERY** licenses for the same or another
24 premises.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (3) Those licenses may be issued to different persons or under trade names
2 used by persons occupying a part of or all of the same premises.

3 (4) A holder of a license listed in paragraph (2) of this subsection may hold
4 additional licenses listed in paragraph (2) of this subsection of the same or of a different
5 class.

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

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

12 (iii) 1. The holder of a Class 5 manufacturer's license or Class 7
13 micro-brewery license may apply for and obtain a Class 7 limited beer wholesaler's license
14 in accordance with this subparagraph.

15 2. A holder of a Class 5 manufacturer's license that was
16 selling the holder's own beer at wholesale in the State as of January 1, 2013, may obtain a
17 Class 7 limited beer wholesaler's license to continue to sell the holder's own beer at
18 wholesale in the same location in an amount that is not more than 3,000 barrels annually.

19 3. A holder of a Class 5 manufacturer's license or Class 7
20 micro-brewery license that produces in aggregate from all its locations not more than
21 22,500 barrels of beer annually may obtain a Class 7 limited beer wholesaler's license and
22 distribute not more than 3,000 barrels of its own beer annually.

23 2-208.

24 (e) **(1) THIS SUBSECTION DOES NOT APPLY IN ALLEGANY COUNTY OR**
25 **FREDERICK COUNTY.**

26 **(2)** A holder of a Class 7 micro-brewery license:

27 **[(1)] (I)** May not own, operate or be affiliated with any other
28 manufacturer of beer except for a Class 2 rectifying license authorized by subsection
29 (c)(1)(ii) of this section; and

30 **[(2)] (II)** Notwithstanding § 2-201(b) of this subtitle, may not be granted
31 a wholesale alcoholic beverages license.

32 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
33 1, 2015.

