

HOUSE BILL 409

A2

7lr1489

By: **Delegate Grammer**

Introduced and read first time: January 26, 2017

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Baltimore County – Freedom in Brewing Act**

3 FOR the purpose of authorizing a holder of a Class 5 brewery license in Baltimore County
4 to sell at retail kegs of beer for off-premises consumption to certain individuals;
5 authorizing a certain individual to purchase a keg of beer from a holder of a Class 5
6 brewery license in Baltimore County under certain circumstances; authorizing a
7 holder of a Class 7 micro-brewery license in Baltimore County to sell at retail kegs
8 of beer for off-premises consumption to certain individuals; authorizing a certain
9 individual to purchase a keg of beer from a holder of a Class 7 micro-brewery license
10 under certain circumstances; and generally relating to alcoholic beverages in
11 Baltimore County.

12 BY repealing and reenacting, without amendments,
13 Article – Alcoholic Beverages
14 Section 13-102
15 Annotated Code of Maryland
16 (2016 Volume and 2016 Supplement)

17 BY repealing and reenacting, with amendments,
18 Article – Alcoholic Beverages
19 Section 13-401
20 Annotated Code of Maryland
21 (2016 Volume and 2016 Supplement)

22 BY adding to
23 Article – Alcoholic Beverages
24 Section 13-403 and 13-404
25 Annotated Code of Maryland
26 (2016 Volume and 2016 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

3 **Article – Alcoholic Beverages**

4 13–102.

5 This title applies only in Baltimore County.

6 13–401.

7 (a) The following sections of Title 2, Subtitle 2 (“Manufacturer’s Licenses”) of
8 Division I of this article apply in the county without exception or variation:

9 (1) § 2–201 (“Issuance by Comptroller”);

10 (2) § 2–202 (“Class 1 distillery license”);

11 (3) § 2–203 (“Class 9 limited distillery license”);

12 (4) § 2–204 (“Class 2 rectifying license”);

13 (5) § 2–205 (“Class 3 winery license”);

14 (6) § 2–206 (“Class 4 limited winery license”);

15 (7) [§ 2–207 (“Class 5 brewery license”);

16 (8)] § 2–208 (“Class 6 pub–brewery license”);

17 [(9) § 2–209 (“Class 7 micro–brewery license”);]

18 [(10)] **(8)** § 2–210 (“Class 8 farm brewery license”);

19 [(11)] **(9)** § 2–211 (“Residency requirement”);

20 [(12)] **(10)** § 2–212 (“Additional licenses”);

21 [(13)] **(11)** § 2–213 (“Additional fees”);

22 [(14)] **(12)** § 2–214 (“Sale or delivery restricted”);

23 [(15)] **(13)** § 2–216 (“Interaction between manufacturing entities and
24 retailers”);

1 ~~[(16)] (14)~~ § 2-217 (“Distribution of alcoholic beverages — Prohibited
2 practices”); and

3 ~~[(17)] (15)~~ § 2-218 (“Restrictive agreements between producers and
4 retailers — Prohibited”).

5 (b) Section 2-215 (“Beer sale on credit to retail dealer prohibited”) of Division I of
6 this article does not apply in the county.

7 **(C) THE FOLLOWING SECTIONS OF TITLE 2, SUBTITLE 2**
8 **(“MANUFACTURER’S LICENSES”) OF DIVISION I OF THIS ARTICLE APPLY IN THE**
9 **COUNTY:**

10 **(1) § 2-207 (“CLASS 5 BREWERY LICENSE”), SUBJECT TO § 13-403 OF**
11 **THIS SUBTITLE; AND**

12 **(2) § 2-209 (“CLASS 7 MICRO-BREWERY LICENSE”), SUBJECT TO §**
13 **13-404 OF THIS SUBTITLE.**

14 **13-403.**

15 **(A) A HOLDER OF A CLASS 5 BREWERY LICENSE MAY SELL AT RETAIL KEGS**
16 **OF BEER BREWED AT THE BREWERY FOR OFF-PREMISES CONSUMPTION.**

17 **(B) AN INDIVIDUAL MAY PURCHASE A KEG OF BEER IF THE INDIVIDUAL HAS**
18 **ATTAINED THE LEGAL DRINKING AGE.**

19 **13-404.**

20 **(A) A HOLDER OF A CLASS 7 MICRO-BREWERY LICENSE MAY SELL AT**
21 **RETAIL KEGS OF BEER BREWED AT THE BREWERY FOR OFF-PREMISES**
22 **CONSUMPTION.**

23 **(B) AN INDIVIDUAL MAY PURCHASE A KEG OF BEER IF THE INDIVIDUAL HAS**
24 **ATTAINED THE LEGAL DRINKING AGE.**

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
26 1, 2017.