

SENATE BILL 325

A1
HB 370/16 – ECM

7lr1749

By: **Senator Ready**

Introduced and read first time: January 24, 2017

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Alcoholic Beverages – On-Premises Promotions and Product Sampling –**
3 **Holders of Manufacturer’s Licenses**

4 FOR the purpose of altering a certain exception to allow a holder of any Maryland
5 manufacturer’s license to bring certain products onto a retail licensed premises for
6 on–premises promotions and product sampling under certain circumstances; making
7 a certain exception to a provision of law that prohibits an individual from consuming
8 on the licensed premises of a license holder a certain alcoholic beverage; and
9 generally relating to on–premises promotions and product sampling of alcoholic
10 beverages.

11 BY repealing and reenacting, without amendments,
12 Article – Alcoholic Beverages
13 Section 1–101(a) and (r)
14 Annotated Code of Maryland
15 (2016 Volume and 2016 Supplement)

16 BY repealing and reenacting, with amendments,
17 Article – Alcoholic Beverages
18 Section 6–319
19 Annotated Code of Maryland
20 (2016 Volume and 2016 Supplement)

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

23 **Article – Alcoholic Beverages**

24 1–101.

25 (a) In this article the following words have the meanings indicated.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(r) “Manufacturer’s license” means a license issued under Title 2, Subtitle 2 of this article that is:

- (1) a Class 1 distillery license;
- (2) a Class 2 rectifying license;
- (3) a Class 3 winery license;
- (4) a Class 4 limited winery license;
- (5) a Class 5 brewery license;
- (6) a Class 6 pub–brewery license;
- (7) a Class 7 micro–brewery license;
- (8) a Class 8 farm brewery license; or
- (9) a Class 9 limited distillery license.

6–319.

(a) This section does not apply to a [Class 4 limited winery that brings wine or pomace brandy] **HOLDER OF A MANUFACTURER’S LICENSE THAT BRINGS THE PRODUCTS** manufactured on its licensed premises onto a retail licensed premises if:

(1) the [wine or pomace brandy] **PRODUCT** is provided for a promotional activity conducted by the [limited winery] **HOLDER OF A MANUFACTURER’S LICENSE**, a retail license holder, an alcoholic beverages trade association, or a nonprofit organization;

(2) a representative of the [limited winery] **HOLDER OF A MANUFACTURER’S LICENSE** or a trade association representing Maryland [wineries] **MANUFACTURERS** is present at all times during the promotional activity;

(3) the [limited winery or winery] **HOLDER OF A MANUFACTURER’S LICENSE OR** trade association complies with any regulations that the Comptroller adopts relating to on–premises promotions and product sampling;

(4) the [limited winery or winery] **HOLDER OF A MANUFACTURER’S LICENSE OR** trade association has advance written permission of the retail license holder to bring [wine] **THE** products on the retail licensed premises for the promotional activity; and

1 (5) all unopened or partially consumed containers of [wine and pomace
2 brandy] **THE PRODUCTS** are removed from the retail licensed premises at the end of the
3 promotional activity.

4 (b) An individual may not consume on the licensed premises of a license holder
5 an alcoholic beverage that is:

6 (1) not purchased on the premises from the license holder; and

7 (2) not otherwise allowed by this article to be consumed on the premises.

8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
9 1, 2017.