



AN ACT PROVIDING AN ACADEMIC BREWER LICENSE UNDER THE SMALL BREWER EXCEPTION FOR A BREWER LICENSE; PROVIDING RULEMAKING AUTHORITY; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

**Section 1. Academic brewer license under small brewer exception -- Flathead valley community college or Montana state university-Billings -- conditions.** (1) Flathead valley community college or Montana state university-Billings may apply for an academic brewer license under this section that allows the licensee to brew and sell beer to wholesalers as provided in this section. The academic brewer license:

- (a) does not allow for the sale of beer at retail and does not allow for the operation of a sample room as provided in 16-3-213;
- (b) is limited to production of 10,000 barrels annually;
- (c) allows for distribution only to wholesalers as provided in 16-3-214;
- (d) is under the ownership of Flathead valley community college or Montana state university-Billings;
- (e) is not subject to quotas under 16-4-105 or to the provisions of 16-3-306;
- (f) may not offer gambling activities;
- (g) is otherwise subject to laws applying to brewery licenses as provided in this code; and
- (h) must operate in an on-campus facility operated in conjunction with a beer-brewing class or curriculum taught at the community college or Montana state university-Billings.

(2) When Flathead valley community college or Montana state university-Billings has met the conditions in subsection (3) and has paid the fee specified for a brewer under 16-4-501, the department shall issue the academic brewer license.

(3) To obtain a license under this section, Flathead valley community college or Montana state university-Billings shall:

- (a) document approval by the community college district board of trustees or the board of regents of

higher education, as applicable;

(b) identify the on-campus location of the site where classes in beer making are to be held; and

(c) for criminal background requirements under 16-4-414, designate two or more individuals, each of whom must have responsibility for licensing compliance and each of whom must meet the requirements in 16-4-401(4)(a).

(4) The department may adopt rules to implement this section.

**Section 2. Codification instruction.** [Section 1] is intended to be codified as an integral part of Title 16, chapter 3, and the provisions of Title 16, chapter 3, apply to [section 1].

**Section 3. Effective date.** [This act] is effective on passage and approval.

- END -

I hereby certify that the within bill,  
HB 0462, originated in the House.

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Speaker of the House

Signed this \_\_\_\_\_ day  
of \_\_\_\_\_, 2017.

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Chief Clerk of the House

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President of the Senate

Signed this \_\_\_\_\_ day  
of \_\_\_\_\_, 2017.

HOUSE BILL NO. 462  
INTRODUCED BY F. GARNER

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