

HOUSE BILL 780

A1, A2

7lr1856

By: **Delegate Lisanti**

Introduced and read first time: February 3, 2017

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Alcoholic Beverages – Brewing Company Off-Site Permits – Harford County**
3 **Farm Fair**

4 FOR the purpose of adding the Harford County Farm Fair to the list of off-site events for
5 which a holder of a brewing company off-site permit may use the permit; altering
6 the time period within which the permit holder is required to notify the Comptroller
7 of an intention to attend an off-site event; and generally relating to brewing company
8 off-site permits.

9 BY repealing and reenacting, with amendments,
10 Article – Alcoholic Beverages
11 Section 2–130
12 Annotated Code of Maryland
13 (2016 Volume and 2016 Supplement)

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

16 **Article – Alcoholic Beverages**

17 2–130.

18 (a) In this section, “limited permit holder” means a person who holds a brewing
19 company off-site permit and also holds a manufacturer’s license for:

20 (1) a Class 5 brewery that produces less than 3,000 barrels a year;

21 (2) a Class 7 micro-brewery that produces less than 3,000 barrels a year;

22 or

23 (3) a Class 8 farm brewery.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(b) There is a brewing company off-site permit.

(c) The Comptroller may issue the permit to:

(1) a Class 5 brewery;

(2) a Class 7 micro-brewery; or

(3) a Class 8 farm brewery.

(d) During an event listed in subsection (f) of this section, a limited permit holder may:

(1) provide to a consumer a sample of beer that has been produced by the limited permit holder and that may not exceed 1 fluid ounce for each offering;

(2) sell to a consumer up to 288 ounces of beer that has been produced by the limited permit holder for off-premises consumption; and

(3) except for farmers' markets listed in subsection (f) of this section, sell to a consumer up to 288 ounces of beer that is produced by the limited permit holder for on- and off-premises consumption.

(e) While selling beer or providing samples of beer at a farmers' market as provided in subsection (f) of this section, a limited permit holder shall have an agent present who is certified by an approved alcohol awareness program.

(f) Except as otherwise authorized under subsection (g) of this section, a limited permit holder may use the brewing company off-site permit only:

(1) at the Montgomery County Agricultural Fair;

(2) at the Maryland State Agricultural Fair;

(3) at the Frederick County Agricultural Fair;

(4) AT THE HARFORD COUNTY FARM FAIR;

[(4)] (5) one night each week from June through November at the North Beach Friday Night Farmers' Market;

[(5)] (6) for up to seven events, at an event that has as its major purpose an activity:

(i) that is other than the sale and promotion of alcoholic beverages;

and

(ii) for which the participation of a brewing company is a subordinate activity; and

~~[(6)] (7)~~ at other farmers' markets that are listed on the Farmers' Market Directory of the Maryland Department of Agriculture.

(g) A person that holds a brewing company off-site permit may use the permit at a nonprofit beer festival that:

(1) has as its primary purpose the promotion of Maryland beer; and

(2) is authorized by a local licensing board under § 2-131 of this subtitle.

(h) (1) [No later than the 20th day of the month preceding the off-site event] **WITHIN A TIME PERIOD THAT THE COMPTROLLER DETERMINES**, the permit holder shall notify the Comptroller of the permit holder's intention to attend an off-site event.

(2) The notice shall be on a form that the Comptroller provides.

(i) The permit is valid for 1 year.

(j) An applicant shall submit an application for the permit to the Comptroller on a form that the Comptroller provides.

(k) The permit fee is \$100.

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