

HOUSE BILL NO. 462

INTRODUCED BY F. GARNER

A BILL FOR AN ACT ENTITLED: "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:

NEW SECTION. Section 1. Academic brewer license under small brewer exception -- FLATHEAD COMMUNITY COLLEGE -- conditions. (1) ~~A unit of the Montana university system or a~~ FLATHEAD community college may apply for an academic brewer license under this section that:

(A) ~~meets the requirements of 16-3-214 with a~~ THE small brewery exception, as provided for in 16-3-213, for EXCEPT THAT BEER PRODUCED MAY BE TAKEN OFF THE PREMISES ONLY FOR PARTICIPATION IN NATIONAL OR REGIONAL TASTING COMPETETIONS AND THE HOURS OF OPERATION OF A SAMPLING ROOM, IF ONE IS PROVIDED, MAY NOT EXCEED 20 HOURS A WEEK, THE OUNCES OF MALT BEVERAGE THAT MAY BE SOLD OR GIVEN TO EACH INDIVIDUAL CUSTOMER IN THE SAMPLING ROOM MAY NOT EXCEED 12 OUNCES IN A BUSINESS DAY, AND THE SAMPLING ROOM IS RESTRICTED TO ON-PREMISES PROVISION OF SAMPLES; AND

(B) ~~OPERATES IN a~~ AN ON-CAMPUS facility operated in conjunction with a beer-brewing class or curriculum taught at the ~~Montana university system unit or~~ community college.

(2) ~~When the unit of the university system or the~~ FLATHEAD community college 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, ~~the applicant~~ FLATHEAD COMMUNITY COLLEGE 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 detail the seating capacity for a sample room, if one is to be provided; 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

1 ~~16-4-401(2)(a)~~ 16-4-401(4)(A).

2 (4) An academic brewer license is under the ownership of the unit of the Montana university system or
3 FLATHEAD community college and is:

4 (a) to operate under the small brewery exception described in 16-3-213, WITH THE EXCEPTIONS PROVIDED
5 IN SUBSECTION (1)(A) OF THIS SECTION;

6 (b) not subject to quotas under 16-4-105 or to the provisions of 16-3-306; and

7 (c) not able to offer gambling activities.

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

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

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13 NEW SECTION. Section 3. Effective date. [This act] is effective on passage and approval.

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