

# 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.



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

**Article – Alcoholic Beverages**

13–102.

This title applies only in Baltimore County.

13–401.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

[(15)] (13) § 2–216 (“Interaction between manufacturing entities and  
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.