

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 -- conditions.

(1) A unit of the Montana university system or a 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 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 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 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 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 16-4-401(2)(a).

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

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

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

(c) not able to offer gambling activities.

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

NEW 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].

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

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