

HOUSE BILL 1555

A1

7lr3083

By: **Delegate Lisanti**

Introduced and read first time: February 17, 2017

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Alcoholic Beverages – Distilleries – Service**

3 FOR the purpose of authorizing the holder of a Class 1 distillery license to sell and serve
4 up to a certain number of mixed drinks containing certain ingredients to an
5 individual who has attained the legal drinking age under certain circumstances; and
6 generally relating to alcoholic beverages and distilleries.

7 BY repealing and reenacting, with amendments,
8 Article – Alcoholic Beverages
9 Section 2–202
10 Annotated Code of Maryland
11 (2016 Volume and 2016 Supplement)

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

14 **Article – Alcoholic Beverages**

15 2–202.

16 (a) There is a Class 1 distillery license.

17 (b) The license shall be obtained for each trade name and each distillery in the
18 State.

19 (c) A license holder may:

20 (1) establish and operate a plant for distilling brandy, rum, whiskey,
21 alcohol, and neutral spirits at the location described in the license;

22 (2) sell and deliver the alcoholic beverages:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(i) in bulk to a person in the State that is authorized to acquire them; and

(ii) to a person outside the State that is authorized to acquire them;

(3) manufacture an alcoholic beverage listed in item (1) of this subsection in the name of another person or under a trade name if the other person or trade name also holds a Class 1 distillery license;

(4) acquire alcoholic beverages in bulk from the holder of a Class 1 distillery license, Class 2 rectifying license, Class 3 winery license, or nonresident dealer's permit; and

(5) (i) conduct guided tours of the licensed premises;

(ii) serve not more than three samples of products manufactured at the licensed premises, with each sample consisting of not more than one-half ounce from a single product, to an individual who has attained the legal drinking age and participated in a guided tour of the licensed premises; [and]

(iii) **SELL AND SERVE NOT MORE THAN TWO MIXED DRINKS CONTAINING PRODUCTS MANUFACTURED ON THE LICENSED PREMISES OR NONALCOHOLIC INGREDIENTS TO AN INDIVIDUAL WHO HAS ATTAINED THE LEGAL DRINKING AGE AND PARTICIPATED IN A GUIDED TOUR OF THE LICENSED PREMISES; AND**

(IV) sell not more than three 750-milliliter bottles of products manufactured on the licensed premises, for off-premises consumption, and related merchandise to an individual who has attained the legal drinking age and participated in a guided tour of the licensed premises.

(d) A license holder or entity in which a license holder has a pecuniary interest may not act as a caterer of food.

(e) Subject to subsection (f) of this section, a license holder may conduct the activities specified in subsection (c)(5) of this section:

(1) for off-premises consumption of products manufactured at the licensed premises and for sampling, from 10 a.m. to 10 p.m. each day; and

(2) for on-premises consumption of products manufactured at the licensed premises:

(i) from 10 a.m. to 6 p.m. each day; or

1 (ii) if guests are attending a planned promotional event or other
2 organized activity on the licensed premises, from 10 a.m. to 10 p.m. each day.

3 (f) A Class 1 distillery license allows the license holder to operate 7 days a week.

4 (g) At least 14 days before holding a planned promotional event after 6 p.m., a
5 license holder shall file a notice of the promotional event with the Comptroller on the form
6 that the Comptroller provides.

7 (h) A holder of a caterer's license or privilege under Subtitle 5 of this title or
8 Subtitle 12 of various titles of Division II of this article may exercise the privileges of the
9 license or privilege on the licensed premises of the license holder.

10 (i) Nothing in this section limits the application of relevant provisions of Title 21
11 of the Health – General Article, and regulations adopted under that title, to a license holder.

12 (j) The annual license fee is \$2,000.

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