

## Chapter 238

(Senate Bill 496)

AN ACT concerning

### Alcoholic Beverages – Brewery License – Samples and Sales

FOR the purpose of altering the number of beer samples that a holder of a brewery license may provide to a person of legal drinking age who participates in a tour, promotional event, or other organized activity at the licensed premises; altering the limit on certain purchases of beer per person; establishing a certain limitation on selling beer under certain circumstances; altering the sample size that a holder may provide at a promotional event; altering the limit on the number of special brewery promotional event permits that a holder may be issued in a calendar year; and generally relating to brewery licenses.

BY repealing and reenacting, with amendments,  
 Article 2B – Alcoholic Beverages  
 Section 2–206  
 Annotated Code of Maryland  
 (2005 Replacement Volume and 2010 Supplement)

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

### Article 2B – Alcoholic Beverages

2–206.

(a) A Class 5 manufacturer's license:

(1) Is a brewery license; and

(2) Authorizes the holder to:

(i) Establish and operate in this State a plant for brewing and bottling malt beverages at the location described in the license;

(ii) Import beer from holders of nonresident dealer's permits;  
 and

(iii) Sell and deliver beer to any wholesale licensee in this State, or person outside of this State, authorized to acquire it.

(b) ~~(1)~~ A licensee may:

~~{(1)}~~ ~~(H)~~ Serve [up to 6 ounces for a sample of beer brewed at the licensed premises to anyone who has taken a tour of the brewery, if that person is of legal drinking age; and] **TO A PERSON OF LEGAL DRINKING AGE WHO PARTICIPATES IN A GUIDED TOUR OF THE FACILITY OR ATTENDS A SCHEDULED PROMOTIONAL EVENT OR OTHER ORGANIZED ACTIVITY AT THE LICENSED PREMISES, NOT MORE THAN SIX SAMPLES OF BEER BREWED AT THE LICENSED PREMISES, WITH EACH SAMPLE CONSISTING OF NOT MORE THAN ~~6~~ 3 OUNCES FROM A SINGLE STYLE OF BEER; AND**

~~{(2)}~~ ~~(H)~~ Sell beer brewed at the brewery for off-premises consumption to anyone who participates in a guided tour of the brewery **OR ATTENDS A SCHEDULED PROMOTIONAL EVENT OR OTHER ORGANIZED ACTIVITY AT THE LICENSED PREMISES**, subject to the following restrictions:

~~(i)~~ ~~1~~ **(I)** The purchase is limited to [144] **288** ounces of beer per person [each year, based upon records kept by the brewery and forwarded to the Office of the Comptroller at intervals specified by that Office]; and

~~(ii)~~ ~~2~~ **(II)** The person has attained the legal drinking age.

(c) (1) The Office of the Comptroller may issue a special brewery promotional event permit to a holder of a Class 5 manufacturer's license.

(2) The permit authorizes the holder to conduct on the premises of the brewery a promotional event at which the holder may:

(i) Provide samples of not more than [2] ~~6~~ 3 fluid ounces per brand to consumers; and

(ii) Sell beer produced by the holder to persons who participate in the event.

(3) The beer at the event shall be sold by the glass and for consumption on the premises only.

(4) A holder of a Class 5 manufacturer's license may not be issued more than [four] **12** permits in a calendar year.

(5) A single promotional event may not exceed 3 consecutive days.

(6) The permit fee is \$25 per event.

(7) To obtain a permit, a person, at least 15 days before the event, shall file with the Office of the Comptroller an application that the Office provides.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2011.

**Approved by the Governor, May 10, 2011.**