

SB0431/473623/1

BY: Economic Matters Committee

AMENDMENTS TO SENATE BILL 431
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 8, strike “or possess” and substitute “and obtain”; in the same line, after “license” insert “with certain privileges”; in line 12, strike “and” and substitute “, 2-212(b),”; and in the same line, after “2-308.1” insert “, and 2-311”.

AMENDMENT NO. 2

On page 3, after line 30, insert:

“2-212.

(b) (1) The holder of a rectifying or winery license may apply for and obtain a wholesaler’s license of any class for the same premises or elsewhere as provided under this article.

(2) The holder of a Class 4 limited winery license may apply for and obtain a Class 6 limited wine wholesaler’s license for the same premises or elsewhere as provided under this article.

(3) (i) The holder of a Class 5 brewery license or Class 7 micro-brewery license may apply for and obtain a Class 7 limited beer wholesaler’s license in accordance with this paragraph.

(ii) A holder of a Class 5 brewery license that was selling the holder’s own beer at wholesale in the State as of January 1, 2013, may obtain a Class 7 limited beer wholesaler’s license to continue to sell the holder’s own beer at wholesale in the same location in an amount that is not more than 5,000 barrels annually.

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(iii) A holder of a Class 5 brewery license that produces in aggregate from all its locations not more than 45,000 barrels of beer annually may obtain a Class 7 limited beer wholesaler’s license and distribute not more than 5,000 barrels of its own beer annually.

(4) A holder of one or two Class 7 micro–brewery licenses that produces in aggregate from all of its locations not more than 45,000 barrels of beer annually may obtain a Class 7 limited beer wholesaler’s license and distribute beer that:

(i) totals annually not more than 5,000 barrels in aggregate from all of its locations; and

(ii) has been brewed at the location from where it is distributed.

(5) The holder of a Class 1 distillery license may apply for and obtain a Class 8 liquor wholesaler’s license for the same premises or elsewhere as provided under this article.

(6) THE HOLDER OF A CLASS 9 LIMITED DISTILLERY LICENSE MAY APPLY FOR AND OBTAIN A CLASS 8 LIQUOR WHOLESALER’S LICENSE, FOR THE SAME PREMISES OR ELSEWHERE AS PROVIDED UNDER THIS ARTICLE, AND DISTRIBUTE ITS OWN LIQUOR.”.

On page 4, after line 22, insert:

“2-311.

(a) The holder of a Class 1, Class 2, or Class 3 wholesaler’s license may obtain more than one such license [provided] IF separate records are kept.

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(b) (1) The holder of a rectifying or winery license may apply for and obtain a wholesaler's license of any class for the same premises or elsewhere as provided under this article.

(2) The holder of a Class 4 limited winery license may apply for and obtain a Class 6 limited wine wholesaler's license for the same premises or elsewhere as provided under this article.

(3) (i) The holder of a Class 5 manufacturer's license or Class 7 micro-brewery license may apply for and obtain a Class 7 limited beer wholesaler's license in accordance with this paragraph.

(ii) A holder of a Class 5 manufacturer's license that was selling the holder's own beer at wholesale in the State as of January 1, 2013, may obtain a Class 7 limited beer wholesaler's license to continue to sell the holder's own beer at wholesale in the same location in an amount that is not more than 5,000 barrels annually.

(iii) A holder of a Class 5 manufacturer's license that produces in aggregate from all its locations not more than 45,000 barrels of beer annually may obtain a Class 7 limited beer wholesaler's license and distribute not more than 5,000 barrels of its own beer annually.

(iv) A holder of one or two Class 7 micro-brewery licenses that produces in aggregate from all of its locations not more than 45,000 barrels of beer annually may obtain a Class 7 limited beer wholesaler's license and distribute beer that:

1. totals annually not more than 5,000 barrels in aggregate from all of its locations; and

2. has been brewed at the location from where it is distributed.

(Over)

(4) A HOLDER OF A CLASS 9 LIMITED DISTILLERY LICENSE MAY APPLY FOR AND OBTAIN A CLASS 8 LIQUOR WHOLESALER'S LICENSE, FOR THE SAME PREMISES OR ELSEWHERE AS PROVIDED UNDER THIS ARTICLE, AND DISTRIBUTE ITS OWN LIQUOR."