

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 -- FLATHEAD VALLEY COMMUNITY COLLEGE OR MONTANA STATE UNIVERSITY-BILLINGS -- conditions. (1) ~~A unit of the Montana university system or a FLATHEAD VALLEY community college OR MONTANA STATE UNIVERSITY-BILLINGS~~ 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 BEER PRODUCED MAY BE TAKEN OFF THE PREMISES ONLY FOR PARTICIPATION IN NATIONAL OR REGIONAL TASTING COMPETITIONS AND 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~~ ALLOWS THE LICENSEE TO BREW AND SELL BEER TO WHOLESALERS AS PROVIDED IN THIS SECTION.  
THE ACADEMIC BREWER LICENSE:

(A) DOES NOT ALLOW FOR THE SALE OF BEER AT RETAIL AND DOES NOT ALLOW FOR THE OPERATION OF A SAMPLE ROOM AS PROVIDED IN 16-3-213;

(B) IS LIMITED TO PRODUCTION OF 10,000 BARRELS ANNUALLY;

(C) ALLOWS FOR DISTRIBUTION ONLY TO WHOLESALERS AS PROVIDED IN 16-3-214;

(D) IS UNDER THE OWNERSHIP OF FLATHEAD VALLEY COMMUNITY COLLEGE OR MONTANA STATE UNIVERSITY-BILLINGS;

(E) IS NOT SUBJECT TO QUOTAS UNDER 16-4-105 OR TO THE PROVISIONS OF 16-3-306;

(F) MAY NOT OFFER GAMBLING ACTIVITIES;

(G) IS OTHERWISE SUBJECT TO LAWS APPLYING TO BREWERY LICENSES AS PROVIDED IN THIS CODE; AND



