

1 _____ BILL NO. _____

2 INTRODUCED BY _____
3 (Primary Sponsor)

4 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING SMALL BREWERY SAMPLE ROOM HOURS;
5 EXTENDING THE OPERATING HOURS FROM 10 A.M. TO 9 P.M. BETWEEN APRIL AND SEPTEMBER;
6 AND AMENDING SECTION 16-3-213, MCA."

7
8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

9
10 **Section 1.** Section 16-3-213, MCA, is amended to read:

11 **"16-3-213. Brewers or beer importers not to retail beer -- small brewery exceptions.** (1) Except
12 as provided for small breweries in subsection (2), it is unlawful for any brewer or breweries or beer importer to
13 have or own any permit to sell or retail beer at any place or premises. It is the intention of this section to prohibit
14 brewers and beer importers from engaging in the retail sale of beer. This section does not prohibit breweries
15 from selling and delivering beer manufactured by them, in original packages, at either wholesale or retail.

16 (2) (a) For the purposes of this section, a "small brewery" is a brewery that has an annual nationwide
17 production of not less than 100 barrels or more than 60,000 barrels, including:

- 18 (i) the production of all affiliated manufacturers; and
- 19 (ii) beer purchased from any other beer producer to be sold by the brewery.

20 (b) A small brewery may, at one location for each brewery license and at no more than three locations
21 including affiliated manufacturers, provide samples of beer that were brewed and fermented on the premises in
22 a sample room located on the licensed premises. ~~The samples may be provided with or without charge~~
23 ~~between the hours of 10 a.m. and 8 p.m.~~ No more than 48 ounces of malt beverage may be sold or given to
24 each individual customer during a business day. No more than 2,000 barrels may be provided annually for on-
25 premises consumption including all affiliated manufacturers. The samples may be provided with or without
26 charge between the hours of:

- 27 (i) 10 a.m. and 8 p.m. between October 1 and March 31; or
- 28 (ii) 10 a.m. and 9 p.m. between April 1 and September 30.

