

(iv) May store the finished product under an individual storage permit or at a licensed public storage facility for subsequent sale and delivery to a licensed wholesaler, an authorized person outside this State, and for shipment back to the micro-brewery location for sale on the retail premises; [and]

(v) May not collectively brew, bottle, or contract for more than 22,500 barrels of malt beverages each calendar year; AND

(VI) MAY ENTER INTO A TEMPORARY DELIVERY AGREEMENT WITH A DISTRIBUTOR ONLY FOR DELIVERY OF BEER TO A BEER FESTIVAL OR WINE AND BEER FESTIVAL AND THE RETURN OF ANY UNUSED BEER IF:

1. THE BEER FESTIVAL OR WINE AND BEER FESTIVAL IS IN A SALES TERRITORY FOR WHICH THE HOLDER DOES NOT HAVE A FRANCHISE WITH A DISTRIBUTOR UNDER THE BEER FRANCHISE FAIR DEALING ACT; AND

2. THE TEMPORARY DELIVERY AGREEMENT IS IN WRITING.

17-103.

(A) THIS SECTION DOES NOT APPLY TO TEMPORARY DELIVERY AGREEMENTS UNDER § 2-208(C)(1)(VI) OF THIS ARTICLE REGARDING BEER FESTIVALS OR WINE AND BEER FESTIVALS.

(B) Notwithstanding the terms, provisions or conditions of any agreement or franchise, no franchisor shall cancel, terminate or refuse to continue or renew any beer franchise, or cause a franchisee to resign from a franchise, unless good cause exists for termination, cancellation, nonrenewal, noncontinuation or causing a resignation; provided, that good cause shall exist if a franchisee's license to do business in the State is revoked under any provisions of this article.

17-104.

(A) THIS SECTION DOES NOT APPLY TO TEMPORARY DELIVERY AGREEMENTS UNDER § 2-208(C)(1)(VI) OF THIS ARTICLE REGARDING BEER FESTIVALS OR WINE AND BEER FESTIVALS.

(B) Except as provided in this section, a beer manufacturer shall provide a franchisee at least 180 days prior written notice of any intent to terminate, cancel or nonrenew any franchise agreement. The notice shall state all the reasons for the intended termination, cancellation, or nonrenewal. The franchisee shall have 180 days in which to rectify any claimed deficiency. If the deficiency shall be rectified within 180 days of notice, then the proposed termination, cancellation or nonrenewal shall be null and void and without legal effect. The notice provisions of this section shall not apply if the reason for termination, cancellation or nonrenewal is insolvency, the occurrence of an assignment for the benefit of creditors, or bankruptcy.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 1998.

Approved May 21, 1998.