



Senate Bill 807

Alcoholic Beverages - Class 8 Farm Brewery and Class 10 Farm Distillery Licenses

MACo Position: **OPPOSE**

To: Finance Committee

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From: Dominic Butchko

The Maryland Association of Counties (MACo) **OPPOSES** SB 807. While framed as support for farm-based breweries and distilleries, this bill eliminates a core element of local zoning authority for businesses operating under a Class 8 Farm Brewery License or the newly created Class 10 Farm Distillery License. The extensive language in SB 807 dealing with zoning/permit approvals and the wide range of proposed allowable uses for these licensees belies the traditional nature of alcoholic beverage-focused legislation, and merits full attention on its debatable merits.

Current law requires alcoholic beverage licenses to comply with local zoning laws before issuance. SB 807 creates a sweeping exemption from that requirement for certain breweries and distilleries, and further grants the State Commission broad exclusive regulatory authority over their operations. As drafted, this bill removes not only the ability of counties to apply zoning standards (i.e. noise controls, traffic mitigation, and water and wastewater reviews) but also, as drafted, appears to entirely preempt any local authority over industrial-scale distilleries.

In practice, this change would allow large, high-impact facilities to be located anywhere agricultural land exists, including areas just outside established urban and suburban communities, without meaningful local review of site-specific impacts. Counties would have no ability to evaluate whether local roads can accommodate increased traffic, whether wells, septic, water, or sewer systems are sufficient, or whether surrounding residential areas are properly insulated from late-night events, amplified music, or large gatherings. Severing these considerations is unwise.

While proponents may characterize this broad legislation as a lifeline for small, family-operated farms, SB 807 also authorizes significantly expanded operational privileges. A Class 10 Farm Distillery may distill and sell up to 100,000 gallons of spirits annually per license (with a clear authorization of multiple licenses for a single facility), host festivals, provide live entertainment, and rent space for weddings and large private events, all without compliance with local requirements. These are not incidental agricultural activities; they are event venues and industrial-scale production facilities with substantial infrastructure demands.

Land use planning is fundamentally, and properly, driven at the community level. Decisions about where higher-intensity commercial or industrial uses belong are best made with local knowledge of roads, utilities, environmental constraints, and community context. Removing that authority risks unintended consequences for residents, farmers, and businesses alike. For these reasons, MACo respectfully urges the Committee to give SB 807 an **UNFAVORABLE** report.