

Chapter 763

(House Bill 1106)

AN ACT concerning

Washington County – Alcoholic Beverages Licenses – Wine

FOR the purpose of altering references to “light wine” in alcoholic beverages licenses in Washington County to refer instead to “wine”; authorizing the Board of License Commissioners for Washington County to issue a refillable container permit for wine to certain license holders; and generally relating to alcoholic beverages in Washington County.

BY repealing and reenacting, without amendments,
Article – Alcoholic Beverages
Section 1–101(a) and (ii) and 31–102
Annotated Code of Maryland
(2016 Volume and 2021 Supplement)

BY repealing and reenacting, with amendments,
Article – Alcoholic Beverages
Section 31–101; 31–701 to be under the amended subtitle “Subtitle 7. Wine Licenses”; 31–801(a) and (b), 31–802(a) and (b), 31–803(a) and (b)(1)(vi) and (2), 31–804(a) and (b), and 31–805(a) and (b) to be under the amended subtitle “Subtitle 8. Beer and Wine Licenses”; 31–1003(d)(1), 31–1005(b), (d), and (e), 31–1101, 31–1102.1, 31–1502, 31–1503, 31–1804, and 31–2003
Annotated Code of Maryland
(2016 Volume and 2021 Supplement)

BY adding to
Article – Alcoholic Beverages
Section 31–1102.1
Annotated Code of Maryland
(2016 Volume and 2021 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That the Laws of Maryland read as follows:

Article – Alcoholic Beverages

1–101.

- (a) In this article the following words have the meanings indicated.
- (ii) (1) “Wine” means a fermented beverage.

(2) “Wine” includes:

- (i) light wine;
- (ii) sparkling wine that is naturally or artificially carbonated; and
- (iii) fortified wine to which alcohol, spirits, or other ingredients are

added.

31–101.

(a) In this title:

(1) the definitions in § 1–101 of this article apply without exception or variation; and

(2) the following words have the meanings indicated.

(b) “Board” means the Board of License Commissioners for Washington County.

(c) “County” means Washington County.

[(d) “Light wine” means wine that contains not more than 15.5% of alcohol by volume.]

31–102.

This title applies only in Washington County.

Subtitle 7. [Light] Wine Licenses.

31–701.

(a) There is a Class A [light] wine license in the county.

(b) The license may be issued to a holder of a Class 3 winery license or a Class 4 limited winery license.

(c) (1) The license authorizes the license holder to sell at retail at the place described in the license [light] wine produced at the winery.

(2) [Light wine] **WINE** shall be sold in a sealed package or container that may not be opened or its contents consumed on the licensed premises.

(d) The annual license fee is \$50.

Subtitle 8. Beer and [Light] Wine Licenses.

31-801.

(a) There is a Class A beer and [light] wine license.

(b) (1) The license authorizes the license holder to sell beer and [light] wine, at retail, at the place described in the license.

(2) The license holder shall sell the beer and [light] wine in a sealed package or container.

(3) The package or container may not be opened and its contents may not be consumed on the premises where the beer or [light] wine is sold.

31-802.

(a) There is a Class B beer and [light] wine license.

(b) The license authorizes the license holder to sell beer and [light] wine at a hotel or restaurant, at retail, at the place described in the license, for on- and off-premises consumption.

31-803.

(a) There is a Class B beer and [light] wine (on-sale only) license.

(b) (1) The Board may issue the license for use by a restaurant that:

(vi) serves food at all times whenever beer and [light] wine are being served or consumed; and

(2) The license authorizes the license holder to sell beer and [light] wine at retail at the place described in the license for on-premises consumption.

31-804.

(a) There is a Class C beer and [light] wine license.

(b) The license authorizes the license holder to sell beer and [light] wine to a member of a club and guests of members, at retail, at the place described in the license, for on-premises consumption.

31-805.

(a) There is a Class D beer and [light] wine license.

(b) The license authorizes the license holder to sell beer and [light] wine, at retail, at the place described in the license, for on- and off-premises consumption.

31-1003.

(d) (1) Except as provided in paragraph (2) of this subsection, the license holder may sell beer and wine during the hours and days as set out for a Class C beer and [light] wine license under § 31-2003 of this title.

31-1005.

(b) There is a stadium beer and [light] wine license.

(d) (1) The license authorizes the license holder to sell beer and [light] wine:

(i) for on-premises consumption to individuals present at an event held in the stadium; and

(ii) in plastic, Styrofoam, or paper containers.

(2) The written approval of the Board is required before beer and [light] wine may be sold, served, or consumed:

(i) on a parking lot of the stadium; or

(ii) during an event other than a baseball game in which the team of the license holder is playing.

(e) The license holder may sell beer and [light] wine from the time the stadium opens for the event until the event ends.

31-1101.

(a) The following sections of Title 4, Subtitle 11 (“Additional License Privileges”) of Division I of this article apply in the county without exception or variation:

(1) § 4-1102 (“Corkage — Consuming wine not purchased from license holder on licensed premises”); and

(2) § 4-1103 (“Removal of partially consumed bottle of wine from licensed premises”).

(b) [Section 4-1105 (“Refillable container permit — Wine”) of Division I of this

article does not apply in the county.

(c)] The following sections of Title 4, Subtitle 11 (“Additional License Privileges”) of Division I of this article apply in the county:

(1) § 4–1104 (“Refillable container permit — Draft beer”), subject to § 31–1102 of this subtitle;

(2) § 4–1105 (“REFILLABLE CONTAINER PERMIT – WINE”), SUBJECT TO § 31–1102.1 OF THIS SUBTITLE; and

[(2)] (3) § 4–1106 (“Nonrefillable container permit — Draft beer”), subject to **[§ 31–1102.1] § 31–1102.2** of this subtitle.

31–1102.1.

(A) THE BOARD MAY ISSUE A REFILLABLE CONTAINER PERMIT FOR WINE TO A HOLDER OF A CLASS A WINE LICENSE.

(B) AN APPLICANT FOR THE PERMIT SHALL COMPLETE THE FORM THAT THE BOARD PROVIDES.

(C) THE HOURS OF SALE FOR THE PERMIT:

(1) BEGIN AT THE SAME TIME AS THOSE FOR THE UNDERLYING LICENSE; AND

(2) END AT MIDNIGHT.

(D) THE ANNUAL PERMIT FEE IS \$50.

[31–1102.1.] 31–1102.2.

(a) The Board may issue a nonrefillable container permit for draft beer to a holder of a Class A license, a Class B license, or a Class D license.

(b) An applicant for the permit shall complete the form that the Board provides.

(c) The hours of sale for the permit:

(1) begin at the same time as those for the underlying license; and

(2) end at midnight.

(d) (1) Except as provided in paragraph (2) of this subsection, the annual permit fees are:

- (i) \$50 for an applicant whose license has an off-sale privilege; and
- (ii) \$500 for an applicant whose license does not have an off-sale privilege.

(2) An applicant who has a refillable container permit may not be charged a fee for a nonrefillable container permit.

31-1502.

The Board may not issue a Class A or Class D beer license, beer and [light] wine license, or beer, wine, and liquor license to a person that holds an out-of-state alcoholic beverages license.

31-1503.

Multiple licenses may be issued for the same premises or to an individual for the use of that individual, a partnership, a corporation, an unincorporated association, or a limited liability company if:

- (1) the licenses are Class D beer or Class D beer and [light] wine licenses; and
- (2) each premises is a bowling establishment that has at least 30 lanes with automatic pinsetters.

31-1804.

Notwithstanding § 31-1502 of this title, the Board may renew a Class A or Class D beer license, beer and [light] wine license, or beer, wine, and liquor license originally issued to a holder of an out-of-state alcoholic beverages license.

31-2003.

(a) A holder of a Class A beer and [light] wine license may sell beer and [light] wine:

- (1) on Monday through Saturday, from 6 a.m. to 2 a.m. the following day; and
- (2) on Sunday, from 11 a.m. to midnight, if a fee is paid.

(b) (1) A holder of a Class B beer and [light] wine (on- and off-sale) license

may sell beer and [light] wine:

(i) on Monday through Saturday, from 6 a.m. to 2 a.m. the following day; and

(ii) except as provided in paragraphs (2) and (3) of this subsection, on Sunday, from noon to midnight, if a fee is paid.

(2) The license holder may sell beer and [light] wine on Sunday, from 11 a.m. to midnight, if:

(i) the consumer places an order for a meal simultaneously with or before placing an order for an alcoholic beverage; or

(ii) the consumer is entitled to a meal on the premises as part of a prearranged event.

(3) When a federal holiday falls on a Monday, the license holder may sell beer and [light] wine on the Sunday immediately before the Monday holiday, from noon to 2 a.m. the following day.

(c) (1) A holder of a Class B beer and [light] wine (on-sale only) pouring license may sell beer and [light] wine:

(i) on Monday through Saturday, from 6 a.m. to 2 a.m. the following day; and

(ii) except as provided in paragraphs (2) and (3) of this subsection, on Sunday, from noon to midnight, if a fee is paid.

(2) The license holder may sell beer and [light] wine on Sunday, from 11 a.m. to midnight, if:

(i) the consumer places an order for a meal simultaneously with or before placing an order for an alcoholic beverage; or

(ii) the consumer is entitled to a meal on the premises as part of a prearranged event.

(3) When a federal holiday falls on a Monday, the license holder may sell beer and [light] wine on the Sunday immediately before the Monday holiday, from noon to 2 a.m. the following day.

(d) A holder of a Class B sidewalk cafe permit may sell or provide beer and [light] wine in the sidewalk cafe on Monday through Sunday, from noon to midnight.

(e) (1) A holder of a Class C beer and [light] wine license may sell beer and [light] wine:

(i) on Monday through Saturday, from 6 a.m. to 2 a.m. the following day; and

(ii) except as provided in paragraphs (2) and (3) of this subsection, on Sunday from noon to midnight, if a fee is paid.

(2) The license holder may sell beer and [light] wine on Sunday, from 11 a.m. to midnight, if:

(i) the consumer places an order for a meal simultaneously with or before placing an order for an alcoholic beverage; or

(ii) the consumer is entitled to a meal on the premises as part of a prearranged event.

(3) When a federal holiday falls on a Monday, the license holder may sell beer and [light] wine on the Sunday immediately before the Monday holiday, from noon to 2 a.m. the following day.

(f) (1) A holder of a Class D beer and [light] wine (on-sale) license may sell beer and [light] wine:

(i) on Monday through Saturday, from 6 a.m. to 2 a.m. the following day; and

(ii) except as provided in paragraph (2) of this subsection, on Sunday, from noon to midnight, if a fee is paid.

(2) When a federal holiday falls on a Monday, the license holder may sell beer and [light] wine on the Sunday immediately before the Monday holiday, from noon to 2 a.m. the following day.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2022.

Enacted under Article II, § 17(c) of the Maryland Constitution, May 29, 2022.