

SENATE BILL 104

A2

9lr1084
CF 9lr0451

By: **Washington County Senators**

Introduced and read first time: January 14, 2019

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Washington County – Alcoholic Beverages – Wineries – Special Event Permits**

3 FOR the purpose of authorizing the Board of License Commissioners for Washington
4 County to permit a certain license holder that has been issued a certain special
5 events permit to sell a certain sparkling wine not produced by the license holder;
6 increasing the number of times a license holder may use a certain special events
7 permit in a year; authorizing the Board to permit a license holder to use a certain
8 special events permit more than a certain number of times in a year; repealing a
9 certain termination provision relating to the issuance of a certain special events
10 permit by the Board; and generally relating to sales of alcoholic beverages in
11 Washington County.

12 BY repealing and reenacting, without amendments,
13 Article – Alcoholic Beverages
14 Section 31–102 and 31–401
15 Annotated Code of Maryland
16 (2016 Volume and 2018 Supplement)

17 BY repealing and reenacting, with amendments,
18 Article – Alcoholic Beverages
19 Section 31–402.1
20 Annotated Code of Maryland
21 (2016 Volume and 2018 Supplement)

22 BY repealing and reenacting, with amendments,
23 Chapter 432 of the Acts of the General Assembly of 2017
24 Section 2

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



Article – Alcoholic Beverages

1
2 31–102.

3 This title applies only in Washington County.

4 31–401.

5 (a) The following sections of Title 2, Subtitle 2 (“Manufacturer’s Licenses”) of
6 Division I of this article apply in the county without exception or variation:

7 (1) § 2–201 (“Issuance by Comptroller”);

8 (2) § 2–202 (“Class 1 distillery license”);

9 (3) § 2–203 (“Class 9 limited distillery license”);

10 (4) § 2–204 (“Class 2 rectifying license”);

11 (5) § 2–207 (“Class 5 brewery license”);

12 (6) § 2–210 (“Class 8 farm brewery license”);

13 (7) § 2–211 (“Residency requirement”);

14 (8) § 2–212 (“Additional licenses”);

15 (9) § 2–213 (“Additional fees”);

16 (10) § 2–214 (“Sale or delivery restricted”);

17 (11) § 2–216 (“Interaction between manufacturing entities and retailers”);

18 (12) § 2–217 (“Distribution of alcoholic beverages — Prohibited practices”);

19 and

20 (13) § 2–218 (“Restrictive agreements between producers and retailers
21 — Prohibited”).

22 (b) The following sections of Title 2, Subtitle 2 (“Manufacturer’s Licenses”) of
23 Division I of this article apply in the county:

24 (1) § 2–205 (“Class 3 winery license”), subject to § 31–402.1 of this subtitle;

25 (2) § 2–206 (“Class 4 limited winery license”), subject to § 31–402.1 of this
26 subtitle;

1 (3) § 2–208 (“Class 6 pub–brewery license”), subject to § 31–403 of this
2 subtitle;

3 (4) § 2–209 (“Class 7 micro–brewery license”), subject to § 31–404 of this
4 subtitle; and

5 (5) § 2–215 (“Beer sale on credit to retail dealer prohibited”), subject to §
6 31–405 of this subtitle.

7 31–402.1.

8 (a) There is a special event permit.

9 (b) The Board may issue the permit to a holder of a Class 3 winery license or a
10 Class 4 limited winery license.

11 (c) (1) The permit authorizes the holder to sell for on–premises consumption
12 beer, wine produced by the holder, and liquor at:

13 [(1)] (I) an event for which the entire licensed premises has been rented;
14 or

15 [(2)] (II) an event that the Board approves.

16 (2) **THE BOARD MAY AUTHORIZE A LICENSE HOLDER TO SELL FOR**
17 **ON–PREMISES CONSUMPTION NATURALLY OR ARTIFICIALLY CARBONATED**
18 **SPARKLING WINE NOT PRODUCED BY THE LICENSE HOLDER.**

19 (d) The license holder who intends to use the permit shall notify the Board at
20 least 1 week before the event is to occur.

21 (e) (1) [The] **EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS**
22 **SUBSECTION, THE** license holder may use the permit not more than [60] **85** times in a
23 year.

24 (2) **THE BOARD MAY AUTHORIZE A LICENSE HOLDER TO USE THE**
25 **PERMIT MORE THAN 85 TIMES IN A YEAR.**

26 (f) The annual permit fee is \$1,000.

27 **Chapter 432 of the Acts of 2017**

28 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
29 1, 2017. [It shall remain effective for a period of 2 years and, at the end of June 30, 2019,
30 with no further action required by the General Assembly, this Act shall be abrogated and
31 of no further force and effect.]

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June
2 1, 2019.