

Chapter 563

(Senate Bill 917)

AN ACT concerning

Wicomico County – Alcoholic Beverages Licenses – Pub–Breweries and Micro–Breweries

FOR the purpose of exempting certain alcoholic beverages businesses in Wicomico County from a certain prohibition against having a financial interest in a premises where alcoholic beverages are sold at retail or in any other business conducted by an alcoholic beverages licensee; altering the number of Class B beer, wine and liquor licenses that a person may hold and still remain eligible to be issued a pub–brewery or micro–brewery license; authorizing a holder of a certain license to be eligible to be issued a micro–brewery license and certain other licenses; and generally relating to alcoholic beverages in Wicomico County.

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 12–104(a)(1) and (2) and (b)(1)
Annotated Code of Maryland
(2005 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 12–104~~(b)(1) and~~ (e)(5)
Annotated Code of Maryland
(2005 Replacement Volume and 2010 Supplement)

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

Article 2B – Alcoholic Beverages

12–104.

(a) (1) In this section the following words have the meanings indicated.

(2) “Business entity” means any holder of a manufacturer’s or wholesaler’s license, or anyone connected with the business of the holder, or any distiller, nonresident dealer, resident dealer, brewer, rectifier, blender or bottler of alcoholic beverages.

(b) (1) ~~(I) THIS PARAGRAPH DOES NOT APPLY IN WICOMICO COUNTY.~~

~~(II)~~ A business entity may not have any financial interest in the premises upon or in which any alcoholic beverage is sold at retail by any licensee or in any business conducted by any licensee.

(e) (5) (i) This paragraph applies only in Wicomico County.

(ii) Subject to subparagraph (iii) of this paragraph, the Comptroller may issue one Class 6 pub-brewery license or one Class 7 micro-brewery license, but not both, to a person that holds not more than [three] **FIVE** Class B beer, wine and liquor licenses.

(iii) A Class 6 pub-brewery license or a Class 7 micro-brewery license issued under subparagraph (ii) of this paragraph may be issued only for a location in an enterprise zone.

(IV) ~~A~~ NOTWITHSTANDING SUBSECTION (B)(1) OF THIS SECTION, A HOLDER OF A CLASS A LICENSE MAY ALSO HOLD A CLASS 7 MICRO-BREWERY LICENSE AND NOT MORE THAN FIVE CLASS B BEER, WINE AND LIQUOR LICENSES UNDER THIS PARAGRAPH.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2011.

Approved by the Governor, May 19, 2011.