

## Chapter 386

(House Bill 136)

AN ACT concerning

### Alcoholic Beverages – Montgomery County – Beer Festivals

MC 11-14

FOR the purpose of authorizing Montgomery County to conduct a beer festival not more than a certain number of times each year under the supervision of the Montgomery County Department of Liquor Control; requiring the county, in selecting a nonprofit festival organization to organize the beer festival, to ensure that the organization has certain experience; specifying that the festival organization select the weekends during which the festival will be conducted; authorizing a festival organization to contract with holders of certain current alcoholic beverages licenses to sell and display beer at the festival; specifying that on the days and for the hours designated for the beer festival, beer may be displayed and sold at retail under certain conditions; requiring a festival organization to choose the festival location and ensure that the primary focus of the festival is the promotion of Maryland beer; requiring that a person hold a special beer festival license and contract with the festival organization before selling, offering for sale, or displaying beer at a festival; authorizing the Montgomery County Board of License Commissioners to issue a special beer festival license; establishing a license fee; allowing certain persons to hold a special beer festival license in addition to another license; providing for certain penalties; requiring certain license fees to be deposited into the general fund of the county; requiring the Montgomery County Board of License Commissioners to adopt certain regulations; defining certain terms; and generally relating to beer festivals in Montgomery County.

BY adding to

Article 2B – Alcoholic Beverages

Section 8-807

Annotated Code of Maryland

(2011 Replacement Volume and 2013 Supplement)

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

### Article 2B – Alcoholic Beverages

8-807.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) “BOARD” MEANS THE MONTGOMERY COUNTY BOARD OF LICENSE COMMISSIONERS.

(3) “FESTIVAL” MEANS THE MONTGOMERY COUNTY BEER FESTIVAL.

(4) “FESTIVAL ORGANIZATION” MEANS A NONPROFIT ORGANIZATION THAT IS SELECTED BY MONTGOMERY COUNTY IN ACCORDANCE WITH SUBSECTION (B) OF THIS SECTION TO ORGANIZE A FESTIVAL.

(B) IN SELECTING A NONPROFIT ORGANIZATION TO BE A FESTIVAL ORGANIZATION, MONTGOMERY COUNTY SHALL ENSURE THAT THE NONPROFIT ORGANIZATION HAS EXTENSIVE EXPERIENCE IN ORGANIZING AND MANAGING LARGE-SCALE PUBLIC EVENTS.

(C) UNDER THE SUPERVISION OF THE MONTGOMERY COUNTY DEPARTMENT OF LIQUOR CONTROL, THE COUNTY EACH YEAR MAY CONDUCT THE MONTGOMERY COUNTY BEER FESTIVAL ON NOT MORE THAN FOUR WEEKENDS THAT A FESTIVAL ORGANIZATION SELECTS.

(D) A FESTIVAL ORGANIZATION MAY CONTRACT WITH HOLDERS OF A CURRENT MONTGOMERY COUNTY RETAIL ALCOHOLIC BEVERAGES LICENSE, A STATE CLASS 5 BREWERY LICENSE, A STATE CLASS 6 PUB-BREWERY LICENSE, ~~OR~~ A STATE CLASS 7 MICRO-BREWERY LICENSE, OR A STATE CLASS 8 FARM BREWERY LICENSE TO SELL AND DISPLAY BEER AT THE FESTIVAL.

(E) ON THE DAYS AND FOR THE HOURS DESIGNATED FOR THE FESTIVAL, BEER MAY BE DISPLAYED AND SOLD AT RETAIL:

(1) FOR CONSUMPTION ON THE PREMISES; AND

(2) FOR CONSUMPTION OFF THE PREMISES IN SEALED CONTAINERS.

(F) A FESTIVAL ORGANIZATION:

(1) SHALL CHOOSE FOR THE FESTIVAL A LOCATION IN THE COUNTY THAT MAY BE A LICENSED OR AN UNLICENSED PREMISES; AND

**(2) SHALL ENSURE THAT THE PRIMARY FOCUS OF THE FESTIVAL IS THE PROMOTION OF MARYLAND BEER.**

**(G) (1) BEFORE A PERSON MAY SELL, OFFER FOR SALE, OR DISPLAY BEER AT A FESTIVAL, THE PERSON MUST CONTRACT WITH THE FESTIVAL ORGANIZATION AND OBTAIN A SPECIAL BEER FESTIVAL LICENSE FROM THE BOARD.**

**(2) THE BOARD MAY ISSUE A SPECIAL BEER FESTIVAL LICENSE.**

**(3) THE LICENSE FEE IS \$30 FOR EACH DAY OF THE FESTIVAL.**

**(4) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, A PERSON MAY HOLD A SPECIAL BEER FESTIVAL LICENSE IN ADDITION TO ANOTHER LICENSE ISSUED UNDER THIS ARTICLE.**

**(5) THE BOARD MAY DENY A SPECIAL BEER FESTIVAL LICENSE TO ANY APPLICANT, SUSPEND OR REVOKE A SPECIAL BEER FESTIVAL LICENSE, OR IMPOSE A FINE NOT EXCEEDING \$20,000 IF THE APPLICANT OR LICENSE HOLDER VIOLATES A PROVISION OF THIS ARTICLE OR THE REGULATIONS OF THE BOARD.**

**(6) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, ALL LICENSE FEES COLLECTED UNDER THIS SUBSECTION SHALL BE DEPOSITED INTO THE GENERAL FUND OF THE COUNTY.**

**(H) THE BOARD SHALL ADOPT REGULATIONS FOR IMPLEMENTING THIS SECTION.**

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2014.

**Approved by the Governor, May 5, 2014.**