

SENATE BILL 104

A2

9lr1084
CF HB 354

By: **Washington County Senators**

Introduced and read first time: January 14, 2019

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 12, 2019

CHAPTER _____

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~~
9 extending a certain termination provision relating to the issuance of a certain special
10 events permit by the Board; providing for the termination of this Act; and generally
11 relating to sales of alcoholic beverages in 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,

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 Chapter 432 of the Acts of the General Assembly of 2017
2 Section 2

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

5 **Article – Alcoholic Beverages**

6 31–102.

7 This title applies only in Washington County.

8 31–401.

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

- 11 (1) § 2–201 (“Issuance by Comptroller”);
- 12 (2) § 2–202 (“Class 1 distillery license”);
- 13 (3) § 2–203 (“Class 9 limited distillery license”);
- 14 (4) § 2–204 (“Class 2 rectifying license”);
- 15 (5) § 2–207 (“Class 5 brewery license”);
- 16 (6) § 2–210 (“Class 8 farm brewery license”);
- 17 (7) § 2–211 (“Residency requirement”);
- 18 (8) § 2–212 (“Additional licenses”);
- 19 (9) § 2–213 (“Additional fees”);
- 20 (10) § 2–214 (“Sale or delivery restricted”);
- 21 (11) § 2–216 (“Interaction between manufacturing entities and retailers”);
- 22 (12) § 2–217 (“Distribution of alcoholic beverages — Prohibited practices”);
- 23 and
- 24 (13) § 2–218 (“Restrictive agreements between producers and retailers
25 — Prohibited”).

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

- 1 (1) § 2–205 (“Class 3 winery license”), subject to § 31–402.1 of this subtitle;
- 2 (2) § 2–206 (“Class 4 limited winery license”), subject to § 31–402.1 of this
3 subtitle;
- 4 (3) § 2–208 (“Class 6 pub–brewery license”), subject to § 31–403 of this
5 subtitle;
- 6 (4) § 2–209 (“Class 7 micro–brewery license”), subject to § 31–404 of this
7 subtitle; and
- 8 (5) § 2–215 (“Beer sale on credit to retail dealer prohibited”), subject to §
9 31–405 of this subtitle.

10 31–402.1.

- 11 (a) There is a special event permit.
- 12 (b) The Board may issue the permit to a holder of a Class 3 winery license or a
13 Class 4 limited winery license.
- 14 (c) **(1)** The permit authorizes the holder to sell for on–premises consumption
15 beer, wine produced by the holder, and liquor at:
- 16 ~~[(1)] (I)~~ an event for which the entire licensed premises has been rented;
17 or
- 18 ~~[(2)] (II)~~ an event that the Board approves.

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

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

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

27 ~~(2) THE BOARD MAY AUTHORIZE A LICENSE HOLDER TO USE THE~~
28 ~~PERMIT MORE THAN 85 TIMES IN A YEAR.~~

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

1 **Chapter 432 of the Acts of 2017**

2 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
3 1, 2017. ~~It shall remain effective for a period of 2 4 years and, at the end of June 30, ~~2019~~~~
4 **2021**, with no further action required by the General Assembly, this Act shall be abrogated
5 and of no further force and effect.‡

6 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June
7 1, 2019. It shall remain effective for a period of 2 years and 1 month and, at the end of June
8 30, 2021, this Act, with no further action required by the General Assembly, shall be
9 abrogated and of no further force and effect.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.