

SENATE BILL 298

A2

4r1753
CF HB 136

By: **Montgomery County Senators**

Introduced and read first time: January 17, 2014

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Alcoholic Beverages – Montgomery County – Beer Festivals**

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

24 BY adding to

25 Article 2B – Alcoholic Beverages

26 Section 8–807

27 Annotated Code of Maryland

28 (2011 Replacement Volume and 2013 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

3 **Article 2B – Alcoholic Beverages**

4 **8–807.**

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

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

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

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

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

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

22 (D) A FESTIVAL ORGANIZATION MAY CONTRACT WITH HOLDERS OF A
23 CURRENT MONTGOMERY COUNTY RETAIL ALCOHOLIC BEVERAGES LICENSE, A
24 STATE CLASS 5 BREWERY LICENSE, A STATE CLASS 6 PUB–BREWERY LICENSE,
25 OR A STATE CLASS 7 MICRO–BREWERY LICENSE TO SELL AND DISPLAY BEER AT
26 THE FESTIVAL.

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

29 (1) FOR CONSUMPTION ON THE PREMISES; AND

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

1 **(F) A FESTIVAL ORGANIZATION:**

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

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

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

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

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

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

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

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

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

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