

SENATE BILL 507

A2

7lr1119

By: **Senator Zirkin**

Introduced and read first time: February 2, 2007

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 20, 2007

CHAPTER _____

1 AN ACT concerning

2 **Baltimore County – Alcoholic Beverages – Wine Tasting**

3 FOR the purpose of ~~repealing in Baltimore County the maximum number of Class~~
4 ~~BWT beer and wine (on-premises) tasting licenses that are available each year~~
5 ~~to a holder of a Class A beer and light wine license or a Class A beer, wine and~~
6 ~~liquor license~~ establishing a beer, wine, and liquor tasting Class BWLT license
7 in Baltimore County; increasing the fee for a Class BWT license in Baltimore
8 County; establishing fees for Class BWLT licenses; authorizing a Class BWLT
9 license holder to allow the consumption of certain alcoholic beverages for tasting
10 and sampling; requiring a Class A license holder to apply for a Class BWT or
11 Class BWLT license in a certain manner; requiring Class BWT and Class BWLT
12 license holders to dispose of any unconsumed alcoholic beverages remaining in a
13 container that was opened for tasting or sampling; and generally relating to
14 alcoholic beverages licenses in Baltimore County.

15 BY repealing and reenacting, with amendments,
16 Article 2B – Alcoholic Beverages
17 Section 8-404.1
18 Annotated Code of Maryland
19 (2005 Replacement Volume and 2006 Supplement)

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 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 8-404.1.

5 ~~(a) In Baltimore County, the Board of License Commissioners may issue a~~
6 ~~1-day Class BWT beer and wine (on-premises) tasting license.~~

7 ~~[(b) The maximum number of licenses available each year is 12.]~~

8 **(A) THIS SECTION APPLIES IN BALTIMORE COUNTY.**

9 **(B) THE BOARD OF LICENSE COMMISSIONERS MAY ISSUE A CLASS**
10 **BWT BEER AND LIGHT WINE (ON-PREMISES) TASTING LICENSE TO THE HOLDER**
11 **OF A CLASS A BEER AND LIGHT WINE TASTING LICENSE.**

12 **(C) THE BOARD OF LICENSE COMMISSIONERS MAY ISSUE A CLASS**
13 **BWLT BEER, WINE, AND LIQUOR (ON-PREMISES) TASTING LICENSE TO A**
14 **HOLDER OF A CLASS A BEER, WINE, AND LIQUOR LICENSE.**

15 **(D) (1) THE FEES FOR A CLASS BWT AND CLASS BWLT LICENSE**
16 **ARE AS FOLLOWS:**

17 **(I) \$20 FOR A DAILY TASTING LICENSE, WHICH MAY BE**
18 **ISSUED NOT MORE THAN 12 TIMES IN ANY ANNUAL LICENSE YEAR;**

19 **(II) \$200 ANNUALLY FOR A 26-DAY TASTING LICENSE,**
20 **WHICH MAY BE USED CONSECUTIVELY OR NONCONSECUTIVELY; AND**

21 **(III) \$300 ANNUALLY FOR A 52-DAY TASTING LICENSE,**
22 **WHICH MAY BE USED CONSECUTIVELY OR NONCONSECUTIVELY.**

23 **(2) THE FEES FOR A CLASS BWT LICENSE AND CLASS BWLT**
24 **LICENSE ARE IN ADDITION TO THE CLASS A ANNUAL LICENSE FEE.**

25 **(E) (1) THE CLASS BWT LICENSE AUTHORIZES THE HOLDER TO**
26 **ALLOW THE ON-PREMISES CONSUMPTION OF LIGHT WINE OR BEER FOR**
27 **TASTING.**

1 **(2) A PERSON MAY CONSUME LIGHT WINE OR BEER COVERED BY**
2 **A CLASS BWT LICENSE IN A QUANTITY NOT EXCEEDING:**

3 **(I) 1 OUNCE OF LIGHT WINE FROM ALL BRANDS IN A**
4 **SINGLE DAY; AND**

5 **(II) 3 OUNCES OF BEER FROM ALL BRANDS IN A SINGLE DAY.**

6 **(F) (1) THE CLASS BWLT LICENSE AUTHORIZES THE HOLDER TO**
7 **ALLOW THE ON-PREMISES CONSUMPTION OF BEER, LIGHT WINE, AND LIQUOR**
8 **FOR TASTING OR SAMPLING.**

9 **(2) A PERSON MAY CONSUME LIGHT WINE, BEER, OR LIQUOR**
10 **COVERED BY A CLASS BWLT LICENSE IN A QUANTITY NOT EXCEEDING:**

11 **(I) 1 OUNCE OF LIGHT WINE FROM ALL BRANDS IN A**
12 **SINGLE DAY;**

13 **(II) 3 OUNCES OF BEER FROM ALL BRANDS IN A SINGLE DAY;**
14 **AND**

15 **(III) ONE-HALF OUNCE OF LIQUOR FROM ALL BRANDS IN A**
16 **SINGLE DAY.**

17 **(G) AT THE END OF EACH DAY FOR WHICH A CLASS BWT OR A CLASS**
18 **BWLT LICENSE IS VALID, THE HOLDER OF THE LICENSE SHALL DISPOSE OF**
19 **ANY UNCONSUMED ALCOHOLIC BEVERAGE REMAINING IN A CONTAINER THAT**
20 **WAS OPENED FOR TASTING OR SAMPLING.**

21 **(H) (1) EACH CLASS A LICENSE HOLDER THAT SEEKS ISSUANCE OF A**
22 **BWT OR BWLT LICENSE FOR WHICH THEY ARE ELIGIBLE SHALL APPLY FOR**
23 **THE TYPE OF TASTING LICENSE AUTHORIZED BY THIS SECTION ON FORMS**
24 **PROVIDED BY THE BOARD OF LICENSE COMMISSIONERS.**

25 **(2) THE FORMS PROVIDED BY THE BOARD OF LICENSE**
26 **COMMISSIONERS UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL SPECIFY**
27 **THE DATE OR DATES ON WHICH THE TASTING IS REQUESTED TO OCCUR.**

1 **(3) THE APPLICATION AND PAYMENT FOR THE DAILY LICENSE**
 2 **SHALL BE SUBMITTED AT LEAST 7 DAYS IN ADVANCE OF THE TASTING EVENT OR**
 3 **7 DAYS IN ADVANCE OF THE FIRST DAY OF CONSECUTIVE DAY TASTING EVENTS.**

4 **(4) THE APPLICATION AND PAYMENT FOR THE 26-DAY TASTING**
 5 **LICENSE AND THE 52-DAY TASTING LICENSE SHALL BE MADE AT LEAST 7 DAYS**
 6 **IN ADVANCE OF THE FIRST PROPOSED TASTING EVENT.**

7 **(5) THE HOLDER OF A 26-DAY TASTING LICENSE AND A 52-DAY**
 8 **TASTING LICENSE SHALL NOTIFY THE BOARD OF LICENSE COMMISSIONERS, ON**
 9 **FORMS APPROVED BY THE BOARD, OF ADDITIONAL TASTING EVENTS**
 10 **AUTHORIZED BY THE LICENSES.**

11 **(I) THE PROVISIONS OF THIS SECTION ARE NOT RESTRICTED BY:**

12 **(1) § 12-107(B) OF THIS ARTICLE; AND**

13 **(2) THE PROVISIONS IN § 9-102 OF THIS ARTICLE WHICH**
 14 **PROHIBIT THE ISSUANCE OF TWO LICENSES FOR THE SAME PREMISES.**

15 **(J) THE HOLDER OF A CLASS BWT OR CLASS BWLT LICENSE MAY**
 16 **EXERCISE THE PRIVILEGES OF THIS SECTION DURING THE HOURS AND DAYS**
 17 **PROVIDED FOR UNDER THE HOLDER'S RESPECTIVE CLASS A LICENSE.**

18 ~~**[(e)](B) A Class BWT license may only be issued to a holder of a Class A**~~
 19 ~~**beer and light wine license or a Class A beer, wine and liquor license.**~~

20 ~~**[(d)](C) (1) The fee for a Class BWT license is \$10.**~~

21 ~~**(2) The fee for a Class BWT license is in addition to the Class A**~~
 22 ~~**annual fee.**~~

23 ~~**[(e)](D) The Class BWT license authorizes a holder to permit the**~~
 24 ~~**on-premises consumption of the following alcoholic beverages for tasting or sampling**~~
 25 ~~**purposes only:**~~

26 ~~**(1) Light wine to be served in a quantity of not more than 1 ounce**~~
 27 ~~**from each given brand to any 1 person; and**~~

28 ~~**(2) Beer to be served in a quantity of not more than 3 ounces to any 1**~~
 29 ~~**person.**~~

1 ~~[(f)] (E)~~ At the end of the day for which the license is valid, a holder of a
2 ~~1-day Class BWT license shall dispose of any unconsumed alcoholic beverage~~
3 ~~remaining in a container that was opened for tasting or sampling.~~

4 ~~[(g)] (F)~~ The provisions of this section are not restricted by:

5 ~~(1) The provisions in § 12-107(b) of this article; and~~

6 ~~(2) The provisions of law in § 9-102 of this article which prohibit the~~
7 ~~issuance of 2 licenses for the same premises.~~

8 ~~[(h)] (G)~~ The holder may exercise the privileges under the Class BWT
9 ~~license only during the hours and days provided for under the respective Class A~~
10 ~~license.~~

11 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
12 July 1, 2007.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.