

**SB0248/933025/2**

BY: Senator Raskin

AMENDMENTS TO SENATE BILL 248, AS AMENDED  
(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the bill, in line 24, before the second “making” insert “requiring the Comptroller to submit a certain report to the General Assembly on or before a certain date;”.

AMENDMENT NO. 2

On page 10 of the bill, in line 19, after “That” insert “:

(a) On or before December 31, 2010, the Comptroller shall submit a report to the General Assembly, in accordance with § 2-1246 of the State Government Article, on the viability and efficacy of instituting in Maryland a policy of allowing direct shipment of wine from licensed Maryland retailers to consumers in the State.

(b) The report shall include:

(1) an evaluation of the economic costs and benefits of allowing direct wine shipment from in-state retailers to consumers in the 26 states and the District of Columbia that allow retailers to ship to consumers within their jurisdiction, including:

(i) the benefits and costs to consumers in these 27 jurisdictions of having a policy of allowing licensed in-state retailers to ship in-state, including:

1. the effect on consumer access to specialty wines and wines used for religious purposes; and

2. the availability of:

A. a more or less diverse range of wine varieties, vintages, and brands;

(Over)

B. a more or less meaningful price competition; and

C. a greater or lesser selection of religious and sacramental wines for interested consumers than are currently available in Maryland;

(ii) the financial benefits and costs in these 27 jurisdictions to licensed retailers, including specialty wine retailers, in-state wholesalers, and in-state distributors, of having a policy of allowing licensed in-state retailers to ship in-state; and

(iii) the economic benefits and costs to these 27 jurisdictions, including the effects on their tax revenues and general business and economic activity, of having a policy of allowing licensed in-state retailers to ship in-state;

(2) an analysis of the best practices for permitting in-state retailers to ship to in-state consumers and consumers in other states; and

(3) an analysis of any legal and constitutional issues facilitating or impeding the policy of in-state retail shipment, including especially the decision in, and impact of, Wine Country Gift Baskets.com v. Steen, 612 F.3d 809 (5th Cir. 2010).

SECTION 5. AND BE IT FURTHER ENACTED, That”.

AMENDMENT NO. 3

On page 12 of the Education, Health, and Environmental Affairs Committee Amendments (SB0248/624033/1), in the second line from the bottom of Amendment No. 6, strike “5.” and substitute “6.”.