

## Chapter 356

(House Bill 212)

AN ACT concerning

### **Alcoholic Beverages – Cecil and Queen Anne's County Counties – Beer and Wine Festivals**

FOR the purpose of increasing the number of special wine festival licenses that the Cecil County Liquor Board may issue; authorizing the Queen Anne's County Board of License Commissioners to issue a certain number of Beer and Wine Festival (BWF) licenses in the county each year; authorizing the Board to select a certain number of weekends each year for a certain festival; requiring the Board to choose a certain location for a certain festival and to ensure that the primary focus of a certain festival is the promotion of certain beer and wine; altering a certain definition; making ~~a certain technical correction~~ corrections; and generally relating to wine festivals in Cecil County and beer and wine festivals in Queen Anne's County.

BY repealing and reenacting, with amendments,  
 Article 2B – Alcoholic Beverages  
 Section ~~8–306.1~~ and 8–311  
 Annotated Code of Maryland  
 (2011 Replacement Volume and 2012 Supplement)

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

#### **Article 2B – Alcoholic Beverages**

8–306.1.

- (a) In this section, “Board” means the Cecil County Liquor Board.
- (b) This section applies only in Cecil County.
- (c) The Board may issue [a] NOT MORE THAN THREE special wine festival (WF) [license] LICENSES.
- (d) An applicant for a special WF license shall be a holder of a State retail alcoholic beverages license, State Class 3 winery license, or State Class 4 winery license.

(e) (1) The Board shall assure that the primary focus of [the] EACH festival is the promotion of Maryland wine.

(2) The holder of a special WF license shall display and sell wine that is:

(i) Price filed in accordance with regulations adopted by the Comptroller; and

(ii) Distributed in the State.

(f) A special WF license entitles the holder to display and sell at retail wine for consumption on or off the licensed premises on the days and for the hours designated for the wine festival in the county.

(g) The license fee is \$20.

(h) This section does not prohibit the license holder from holding another alcoholic beverages license of a different class or nature.

(i) The Board:

(1) May choose one weekend annually during the months of June, July, August, or September for [the] EACH wine festival that does not conflict with the Anne Arundel County Beer and Wine Festival, the Cumberland and Shenandoah Valley Wine Festival, or the Maryland Wine Festival; and

(2) Shall choose a location in the county for [the] EACH festival that is not licensed under this article.

(j) The Board shall adopt regulations to carry out this section.

8-311.

(a) (1) In this section the following words have the meanings indicated.

(2) “Board” means the Queen Anne’s County Board of License Commissioners.

(3) “Festival” means [the Queen Anne’s County Beer and Wine Festival (QABWF)] **A BEER AND WINE FESTIVAL (BWF) IN QUEEN ANNE’S COUNTY.**

(b) This section applies only in Queen Anne’s County.

(c) The Board may issue a special festival license.

(d) Notwithstanding any other provision of this article, an applicant for a special festival license shall be a holder of an existing State retail alcoholic beverages license, State Class 3 winery license, or State Class 4 limited winery license issued under this article.

(e) A special festival licensee shall:

(1) Only display and sell:

(i) Wine that is:

1. Manufactured and processed in any state;
2. Price filed in accordance with regulations adopted by the Comptroller; and
3. Distributed in the State at the time the application is filed; and

(ii) Beer that is brewed by a brewer:

1. Who brews less than 60,000 barrels of beer annually; and
2. Whose product is distributed in the State at the time the application is filed;

(2) Display and sell beer and wine at retail for consumption on or off the licensed premises on the days and for the hours designated for the Festival; and

(3) Display and sell wine that is manufactured and processed in any state at retail for consumption off the licensed premises on the days and for the hours designated for the Festival.

(f) This section does not prohibit the holder of a special festival license from holding another alcoholic beverages license of a different class or nature.

(g) The Board:

(1) May establish the license fee;

(2) May select [one weekend] **A MAXIMUM OF 4 WEEKENDS EACH YEAR**, Friday through Sunday inclusive, [annually] for [the] A Festival provided that the weekend that is selected does not occur within 14 days on either side of the Maryland Wine Festival;

(3) Shall choose a location in the county for [this] A Festival which is not licensed under this article; and

(4) Shall [assure] **ENSURE** that the primary focus of [the] A Festival is the promotion of Maryland beer and wine.

(h) (1) Products displayed and sold shall be:

(i) Invoiced to the festival license holder by a licensed State wholesaler, winery, or limited winery; and

(ii) Delivered to the Festival from the licensed premises of the wholesaler, winery, or limited winery.

(2) Whenever a festival license is issued pursuant to this subsection, holders of wholesale, winery, or limited winery licenses may enter into an agreement with the holder of a festival license to deliver beer and wine 2 days prior to the effective date, and to accept returns 2 days after the expiration date of the festival license.

(i) The Board shall adopt regulations for implementing this section.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2013.

**Approved by the Governor, May 2, 2013.**