

# HOUSE BILL 212

A2  
HB 716/12 – ECM

3lr1410  
CF SB 49

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By: **Delegates Hershey, Jacobs, and Smigiel**  
Introduced and read first time: January 21, 2013  
Assigned to: Economic Matters

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Committee Report: Favorable with amendments  
House action: Adopted  
Read second time: March 8, 2013

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Alcoholic Beverages – Cecil and Queen Anne’s County Counties – Beer and**  
3 **Wine Festivals**

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

14 BY repealing and reenacting, with amendments,  
15 Article 2B – Alcoholic Beverages  
16 Section ~~8–306.1 and~~ 8–311  
17 Annotated Code of Maryland  
18 (2011 Replacement Volume and 2012 Supplement)

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

21 **Article 2B – Alcoholic Beverages**

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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 8-306.1.

2 (a) In this section, "Board" means the Cecil County Liquor Board.

3 (b) This section applies only in Cecil County.

4 (c) The Board may issue [a] NOT MORE THAN THREE special wine festival  
5 (WF) [license] LICENSES.

6 (d) An applicant for a special WF license shall be a holder of a State retail  
7 alcoholic beverages license, State Class 3 winery license, or State Class 4 winery  
8 license.

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

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

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

15 (ii) Distributed in the State.

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

19 (g) The license fee is \$20.

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

22 (i) The Board:

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

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

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

30 8-311.

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

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

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

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

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

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

13 (e) A special festival licensee shall:

14 (1) Only display and sell:

15 (i) Wine that is:

16 1. Manufactured and processed in any state;

17 2. Price filed in accordance with regulations adopted by  
18 the Comptroller; and

19 3. Distributed in the State at the time the application is  
20 filed; and

21 (ii) Beer that is brewed by a brewer:

22 1. Who brews less than 60,000 barrels of beer annually;  
23 and

24 2. Whose product is distributed in the State at the time  
25 the application is filed;

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

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

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

3 (g) The Board:

4 (1) May establish the license fee;

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

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

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

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

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

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

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

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

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