

Chapter 414

(House Bill 600)

AN ACT concerning

Alcoholic Beverages – Farmers' Market Permit – Establishment

FOR the purpose of establishing a farmers' market permit; authorizing the Office of the Comptroller to issue the permit to a holder of a certain license under certain circumstances; requiring the permit holder to provide certain notice to the local licensing board of a certain jurisdiction; specifying the places and times in which a permit holder may use a farmers' market permit; prohibiting the Office of the Comptroller from issuing more than a certain number of permits for use at each farmers' market; authorizing a permit holder to take certain actions in connection with the farmers' market permit; requiring that all wine offered for sale or sampling by the permit holder be the product of a certain class of winery; defining a certain term; and generally relating to the sale and sampling of alcoholic beverages at farmers' markets.

BY adding to

Article 2B – Alcoholic Beverages

Section 2–101(y)

Annotated Code of Maryland

(2011 Replacement Volume and 2013 Supplement)

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

Article 2B – Alcoholic Beverages

2–101.

(Y) (1) IN THIS SUBSECTION, “PERMIT” MEANS A FARMERS’ MARKET PERMIT.

(2) THERE IS A FARMERS’ MARKET PERMIT.

(3) THE OFFICE OF THE COMPTROLLER MAY ISSUE THE PERMIT TO A HOLDER OF A LICENSE:

(i) OTHER THAN A CLASS 4 LIMITED WINERY LICENSE, THAT ALLOWS THE HOLDER TO SELL ALCOHOLIC BEVERAGES TO THE PUBLIC FOR CONSUMPTION OFF THE LICENSED PREMISES; AND

(II) THAT WAS ISSUED BY THE LOCAL LICENSING BOARD OF THE JURISDICTION IN WHICH THE FARMERS' MARKET WILL BE HELD.

(4) THE HOLDER OF A PERMIT SHALL NOTIFY THE LOCAL LICENSING BOARD OF THE JURISDICTION IN WHICH THE FARMERS' MARKET WILL BE HELD THAT THE PERMIT HAS BEEN ISSUED.

(5) (I) A PERMIT MAY BE USED ONLY:

1. AT A FARMERS' MARKET THAT IS LISTED IN THE FARMERS' MARKET DIRECTORY OF THE MARYLAND DEPARTMENT OF AGRICULTURE;

2. AT THE FARMERS' MARKET NAMED IN THE PERMIT; AND

3. DURING THE HOURS OF OPERATION OF THE FARMERS' MARKET FOR WHICH IT IS OBTAINED.

(II) THE OFFICE OF THE COMPTROLLER MAY ISSUE NOT MORE THAN ONE PERMIT FOR USE AT EACH FARMERS' MARKET.

(6) A PERMIT AUTHORIZES THE HOLDER TO:

(I) OCCUPY STALL SPACE AT A FARMERS' MARKET; AND

(II) SUBJECT TO PARAGRAPH (7) OF THIS SUBSECTION:

1. OFFER AND SELL SEALED CONTAINERS OF WINE TO CONSUMERS FOR CONSUMPTION OFF THE LICENSED PREMISES OF THE FARMERS' MARKET; AND

2. PROVIDE AT NO CHARGE SAMPLES OF WINE NOT TO EXCEED 1 FLUID OUNCE PER BRAND TO CONSUMERS FOR CONSUMPTION ON THE LICENSED PREMISES OF THE FARMERS' MARKET.

(7) ALL WINE OFFERED FOR SALE OR SAMPLINGS BY THE PERMIT HOLDER SHALL BE THE PRODUCT OF A CLASS 4 LIMITED WINERY.

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

Approved by the Governor, May 5, 2014.