

HOUSE BILL 459

A2

5lr1610

By: **Montgomery County Delegation**

Introduced and read first time: February 9, 2015

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Montgomery County – Rectifiers and Bottlers – Liquor Sales and Delivery to**
3 **Retail Dealers**

4 **MC 25–15**

5 FOR the purpose of authorizing a holder of a Class 2 manufacturer’s license that also holds
6 a Class 1 wholesaler’s license or a nonresident dealer permit to sell or deliver its own
7 distilled spirits to a county liquor dispensary, a restaurant, or any other retail dealer
8 in Montgomery County; authorizing a county liquor dispensary, a restaurant, or any
9 other retail dealer in Montgomery County to purchase beer directly from a holder of
10 a Class 2 manufacturer’s license that also holds a Class 1 wholesaler’s license or a
11 nonresident dealer permit; and generally relating to beer sales to retail dealers in
12 Montgomery County.

13 BY repealing and reenacting, without amendments,
14 Article 2B – Alcoholic Beverages
15 Section 15–204(a)
16 Annotated Code of Maryland
17 (2011 Replacement Volume and 2014 Supplement)

18 BY repealing and reenacting, with amendments,
19 Article 2B – Alcoholic Beverages
20 Section 15–204(b)
21 Annotated Code of Maryland
22 (2011 Replacement Volume and 2014 Supplement)

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

25 **Article 2B – Alcoholic Beverages**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 15-204.

2 (a) Subject to § 16-407.1 of this article and except as otherwise provided in this
3 section, the liquor control board in each county shall have an absolute monopoly of the sale
4 and distribution of the particular alcoholic beverages which elsewhere in this subtitle it is
5 empowered to sell.

6 (b) (1) Provided, that in Montgomery County no person, firm, or corporation
7 shall keep for sale any alcoholic beverage not purchased from the Department of Liquor
8 Control for Montgomery County, provided, however, that nothing in this subsection shall
9 apply to a holder of a Class F license or a holder of a Class 1 beer, wine and liquor, Class 2
10 wine and liquor, Class 3 beer and wine, Class 4 beer, or Class 5 wine wholesaler's license,
11 who may not sell or deliver any alcoholic beverage in Montgomery County for resale except
12 to a county liquor dispensary.

13 (2) Notwithstanding paragraph (1) of this subsection:

14 (i) 1. A holder of a Class 6 limited wine wholesaler's license or
15 of a nonresident winery permit may sell or deliver wine directly to a county liquor
16 dispensary, restaurant, or other retail dealer in Montgomery County; and

17 2. A county liquor dispensary, restaurant, or other retail
18 dealer in Montgomery County may purchase wine directly from a holder of a Class 6 limited
19 wine wholesaler's license or of a nonresident winery permit;

20 (ii) 1. A holder of a Class 7 limited beer wholesaler's license or of
21 a nonresident brewery permit may sell or deliver its own beer to a county liquor dispensary,
22 a restaurant, or any other retail dealer in Montgomery County; and

23 2. A county liquor dispensary, a restaurant, or any other
24 retail dealer in Montgomery County may purchase beer directly from a holder of a Class 7
25 limited beer wholesaler's license or a nonresident brewery permit; [and]

26 (iii) 1. **A HOLDER OF A CLASS 2 MANUFACTURER'S LICENSE**
27 **THAT ALSO HAS EITHER A CLASS 1 WHOLESALER'S LICENSE OR A NONRESIDENT**
28 **DEALER PERMIT MAY SELL OR DELIVER ITS OWN DISTILLED SPIRITS TO A COUNTY**
29 **LIQUOR DISPENSARY, A RESTAURANT, OR ANY OTHER RETAIL DEALER IN**
30 **MONTGOMERY COUNTY; AND**

31 2. **A COUNTY LIQUOR DISPENSARY, A RESTAURANT, OR**
32 **ANY OTHER RETAIL DEALER IN MONTGOMERY COUNTY MAY PURCHASE DISTILLED**
33 **SPIRITS DIRECTLY FROM A HOLDER OF A CLASS 2 MANUFACTURER'S LICENSE THAT**
34 **ALSO HAS EITHER A CLASS 1 WHOLESALER'S LICENSE OR A NONRESIDENT DEALER**
35 **PERMIT; AND**

1 **(IV)** A holder of a direct wine shipper's permit may ship wine directly
2 to a consumer in Montgomery County.

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
4 October 1, 2015.