

Chapter 315

(House Bill 252)

AN ACT concerning

Alcoholic Beverages – Liquor and Wine

FOR the purpose of adding a definition of “liquor” to the Alcoholic Beverages Article; adding a certain alcohol content limitation on wine that is sold under a beer and wine license in certain jurisdictions; and generally relating to liquor and wine as those terms are used in the Alcoholic Beverages Article.

BY renumbering

Article – Alcoholic Beverages

Section 1–101(p) through (dd), 13–801 through 13–804, 15–801 through 15–805, 16–801 through 16–804, 17–801 through 17–804, 19–801 through 19–804, 20–801 through 20–804, 21–801 through 21–805, 22–801 through 22–807, 22–807.1, 22–808, 24–801 through 25–801 through 25–804, 25–805, 27–801 through 27–804, 28–801 through 28–804, 29–801 through 29–804, 30–801 through 30–804, 32–801 through 32–804, and 33–801 through 33–804, respectively

to be Section 1–101(q) through (ee), 13–802 through 13–805, 15–802 through 15–806, 16–802 through 16–805, 17–802 through 17–805, 19–802 through 19–805, 20–802 through 20–805, 21–802 through 21–806, 22–802 through 22–810, 24–802 through 24–805, 25–802 through 25–806, 27–802 through 27–805, 28–802 through 28–805, 29–802 through 29–805, 30–802 through 30–805, 32–802 through 32–805, and 33–802 through 33–805, respectively

Annotated Code of Maryland

(2016 Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,

Article – Alcoholic Beverages

Section 1–101(a) and (b), 13–102, 15–102, 16–102, 17–102, 19–102, 20–102, 21–102, 22–102, 24–102, 25–102, 27–102, 28–102, 29–102, 30–102, 32–102, and 33–102

Annotated Code of Maryland

(2016 Volume and 2016 Supplement)

BY adding to

Article – Alcoholic Beverages

Section 1–101(p), 13–801, 15–801, 16–801, 17–801, 19–801, 20–801, 21–801, 22–801, 24–801, 25–801, 27–801, 28–801, 29–801, 30–801, 32–801, and 33–801

Annotated Code of Maryland

(2016 Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,

Article – Tax – General
 Section 5–101(g)
 Annotated Code of Maryland
 (2016 Replacement Volume)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That Section(s) 1–101(p) through (dd), 13–801 through 13–804, 15–801 through 15–805, 16–801 through 16–804, 17–801 through 17–804, 19–801 through 19–804, 20–801 through 20–804, 21–801 through 21–805, 22–801 through 22–807, 22–807.1, and 22–808, 24–801 through 24–804, 25–801 through 25–805, 27–801 through 27–804, 28–801 through 28–804, 29–801 through 29–804, 30–801 through 30–804, 32–801 through 32–804, and 33–801 through 33–804, respectively, of Article – Alcoholic Beverages of the Annotated Code of Maryland be renumbered to be Section(s) 1–101(q) through (ee), 13–802 through 13–805, 15–802 through 15–806, 16–802 through 16–805, 17–802 through 17–805, 19–802 through 19–805, 20–802 through 20–805, 21–802 through 21–806, 22–802 through 22–810, 24–802 through 24–805, 25–802 through 25–806, 27–802 through 27–805, 28–802 through 28–805, 29–802 through 29–805, 30–802 through 30–805, 32–802 through 32–805, and 33–802 through 33–805, respectively.

SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Alcoholic Beverages

1–101.

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

(b) (1) “Alcoholic beverage” means a spirituous, vinous, malt, or fermented liquor, liquid, or compound that:

- (i) contains at least one-half of 1% of alcohol by volume; and
- (ii) is suitable for beverage purposes.

(2) “Alcoholic beverage” includes alcohol, brandy, whiskey, rum, gin, cordial, beer, and wine.

(3) “Alcoholic beverage” does not include a confectionery food product that contains up to 5% of alcohol by volume and is regulated by the Department of Health and Mental Hygiene under § 21–209 of the Health – General Article.

(P) “LIQUOR” HAS THE SAME MEANING AS “DISTILLED SPIRITS” UNDER § 5–101(G) OF THE TAX – GENERAL ARTICLE.

13–102.

This title applies only in Baltimore County.

13-801.

THE WINE THAT MAY BE SOLD UNDER A BEER AND WINE LICENSE MAY NOT CONTAIN MORE THAN 22% OF ALCOHOL BY VOLUME.

15-102.

This title applies only in Caroline County.

15-801.

THE WINE THAT MAY BE SOLD UNDER A BEER AND WINE LICENSE MAY NOT CONTAIN MORE THAN 22% OF ALCOHOL BY VOLUME.

16-102.

This title applies only in Carroll County.

16-801.

THE WINE THAT MAY BE SOLD UNDER A BEER AND WINE LICENSE MAY NOT CONTAIN MORE THAN 22% OF ALCOHOL BY VOLUME.

17-102.

This title applies only in Cecil County.

17-801.

THE WINE THAT MAY BE SOLD UNDER A BEER AND WINE LICENSE MAY NOT CONTAIN MORE THAN 22% OF ALCOHOL BY VOLUME.

19-102.

This title applies only in Dorchester County.

19-801.

THE WINE THAT MAY BE SOLD UNDER A BEER AND WINE LICENSE MAY NOT CONTAIN MORE THAN 22% OF ALCOHOL BY VOLUME.

20-102.

This title applies only in Frederick County.

20-801.

THE WINE THAT MAY BE SOLD UNDER A BEER AND WINE LICENSE MAY NOT CONTAIN MORE THAN 22% OF ALCOHOL BY VOLUME.

21-102.

This title applies only in Garrett County.

21-801.

THE WINE THAT MAY BE SOLD UNDER A BEER AND WINE LICENSE MAY NOT CONTAIN MORE THAN 22% OF ALCOHOL BY VOLUME.

22-102.

This title applies only in Harford County.

22-801.

THE WINE THAT MAY BE SOLD UNDER A BEER AND WINE LICENSE MAY NOT CONTAIN MORE THAN 23% OF ALCOHOL BY VOLUME.

24-102.

This title applies only in Kent County.

24-801.

THE WINE THAT MAY BE SOLD UNDER A BEER AND WINE LICENSE MAY NOT CONTAIN MORE THAN 22% OF ALCOHOL BY VOLUME.

25-102.

This title applies only in Montgomery County.

25-801.

THE WINE THAT MAY BE SOLD UNDER A BEER AND WINE LICENSE MAY NOT CONTAIN MORE THAN 22% OF ALCOHOL BY VOLUME, INCLUDING NATURALLY FERMENTED OR FORTIFIED WINE.

27-102.

This title applies only in Queen Anne's County.

27-801.

THE WINE THAT MAY BE SOLD UNDER A BEER AND WINE LICENSE MAY NOT CONTAIN MORE THAN 22% OF ALCOHOL BY VOLUME.

28-102.

This title applies only in St. Mary's County.

28-801.

THE WINE THAT MAY BE SOLD UNDER A BEER AND WINE LICENSE MAY NOT CONTAIN MORE THAN 22% OF ALCOHOL BY VOLUME.

29-102.

This title applies only in Somerset County.

29-801.

THE WINE THAT MAY BE SOLD UNDER A BEER AND WINE LICENSE MAY NOT CONTAIN MORE THAN 22% OF ALCOHOL BY VOLUME.

30-102.

This title applies only in Talbot County.

30-801.

THE WINE THAT MAY BE SOLD UNDER A BEER AND WINE LICENSE MAY NOT CONTAIN MORE THAN 22% OF ALCOHOL BY VOLUME.

32-102.

This title applies only in Wicomico County.

32-801.

THE WINE THAT MAY BE SOLD UNDER A BEER AND WINE LICENSE MAY NOT CONTAIN MORE THAN 22% OF ALCOHOL BY VOLUME.

33-102.

This title applies only in Worcester County.

33-801.

THE WINE THAT MAY BE SOLD UNDER A BEER AND WINE LICENSE MAY NOT CONTAIN MORE THAN 22% OF ALCOHOL BY VOLUME.

Article – Tax – General

5-101.

- (g) (1) “Distilled spirits” means a distilled alcoholic beverage.
- (2) “Distilled spirits” includes:
 - (i) alcohol;
 - (ii) brandy;
 - (iii) cordials;
 - (iv) gin;
 - (v) liqueur;
 - (vi) rum;
 - (vii) vodka;
 - (viii) whiskey; and
 - (ix) solutions or mixtures of distilled spirits except fortified wines.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2017.

Approved by the Governor, April 18, 2017.