

HOUSE BILL 1425

A2

7lr1859
CF SB 620

By: **Delegate McKay**

Introduced and read first time: February 10, 2017

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Washington County – Alcoholic Beverages – Wineries – Special Event Permits**

3 FOR the purpose of establishing a special event permit in Washington County; authorizing
4 a holder of a Class 3 winery license or a Class 4 limited winery license in the county
5 to sell beer, wine produced by the holder, and liquor for on–premises consumption at
6 certain events; requiring the permit holder to notify the Board of License
7 Commissioners on or before a certain time before using the permit; establishing a
8 certain limit on the number of times the permit may be used; providing for a certain
9 permit fee; providing for the termination of this Act; and generally relating to sales
10 of alcoholic beverages in Washington County.

11 BY repealing and reenacting, without amendments,
12 Article – Alcoholic Beverages
13 Section 31–102
14 Annotated Code of Maryland
15 (2016 Volume and 2016 Supplement)

16 BY repealing and reenacting, with amendments,
17 Article – Alcoholic Beverages
18 Section 31–401
19 Annotated Code of Maryland
20 (2016 Volume and 2016 Supplement)

21 BY adding to
22 Article – Alcoholic Beverages
23 Section 31–402.1
24 Annotated Code of Maryland
25 (2016 Volume and 2016 Supplement)

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



Article – Alcoholic Beverages

1 31-102.

2 This title applies only in Washington County.

3 31-401.

4 (a) The following sections of Title 2, Subtitle 2 (“Manufacturer’s Licenses”) of
5 Division I of this article apply in the county without exception or variation:

6 (1) § 2-201 (“Issuance by Comptroller”);

7 (2) § 2-202 (“Class 1 distillery license”);

8 (3) § 2-203 (“Class 9 limited distillery license”);

9 (4) § 2-204 (“Class 2 rectifying license”);

10 (5) [§ 2-205 (“Class 3 winery license”);

11 (6) § 2-206 (“Class 4 limited winery license”);

12 (7)] § 2-207 (“Class 5 brewery license”);

13 [(8)] (6) § 2-210 (“Class 8 farm brewery license”);

14 [(9)] (7) § 2-211 (“Residency requirement”);

15 [(10)] (8) § 2-212 (“Additional licenses”);

16 [(11)] (9) § 2-213 (“Additional fees”);

17 [(12)] (10) § 2-214 (“Sale or delivery restricted”);

18 [(13)] (11) § 2-216 (“Interaction between manufacturing entities and
19 retailers”);

20 [(14)] (12) § 2-217 (“Distribution of alcoholic beverages — Prohibited
21 practices”); and

22 [(15)] (13) § 2-218 (“Restrictive agreements between producers and
23 retailers — Prohibited”).

1 (b) The following sections of Title 2, Subtitle 2 (“Manufacturer’s Licenses”) of
2 Division I of this article apply in the county:

3 (1) § 2–205 (“CLASS 3 WINERY LICENSE”), SUBJECT TO § 31–402.1 OF
4 THIS SUBTITLE;

5 (2) § 2–206 (“CLASS 4 LIMITED WINERY LICENSE”), SUBJECT TO §
6 31–402.1 OF THIS SUBTITLE;

7 [(1)] (3) § 2–208 (“Class 6 pub–brewery license”), subject to § 31–403 of
8 this subtitle;

9 [(2)] (4) § 2–209 (“Class 7 micro–brewery license”), subject to § 31–404 of
10 this subtitle; and

11 [(3)] (5) § 2–215 (“Beer sale on credit to retail dealer prohibited”), subject
12 to § 31–405 of this subtitle.

13 **31–402.1.**

14 (A) **THERE IS A SPECIAL EVENT PERMIT.**

15 (B) **THE BOARD MAY ISSUE THE PERMIT TO A HOLDER OF A CLASS 3 WINERY
16 LICENSE OR A CLASS 4 LIMITED WINERY LICENSE.**

17 (C) **THE PERMIT AUTHORIZES THE HOLDER TO SELL FOR ON–PREMISES
18 CONSUMPTION BEER, WINE PRODUCED BY THE HOLDER, AND LIQUOR AT:**

19 (1) **AN EVENT FOR WHICH THE ENTIRE LICENSED PREMISES HAS
20 BEEN RENTED; OR**

21 (2) **AN EVENT THAT THE BOARD APPROVES.**

22 (D) **THE LICENSE HOLDER WHO INTENDS TO USE THE PERMIT SHALL
23 NOTIFY THE BOARD AT LEAST 1 WEEK BEFORE THE EVENT IS TO OCCUR.**

24 (E) **THE LICENSE HOLDER MAY USE THE PERMIT NOT MORE THAN 60 TIMES
25 IN A YEAR.**

26 (F) **THE ANNUAL PERMIT FEE IS \$1,000.**

27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
28 1, 2017. It shall remain effective for a period of 1 year and 6 months and, at the end of

1 January 1, 2019, with no further action required by the General Assembly, this Act shall
2 be abrogated and of no further force and effect.