

# SENATE BILL 23

A1

8lr0497

(PRE-FILED)

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By: **Senator Waugh**

Requested: August 15, 2017

Introduced and read first time: January 10, 2018

Assigned to: Education, Health, and Environmental Affairs

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 13, 2018

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

1 AN ACT concerning

### 2 **Alcoholic Beverages – Distilleries – Farmers’ Markets and Other Events**

3 FOR the purpose of ~~allowing a holder of a certain distillery license to use a distillery~~  
4 ~~off-site permit to provide liquor samples and sell liquor produced by the holder at~~  
5 ~~any State or county agricultural fair; increasing~~ removing the limit on the number  
6 of farmers’ markets at which the license holder may use a distillery off-site permit;  
7 ~~altering a certain restriction on the types of farmers’ markets at which a distillery~~  
8 ~~off-site permit may be used; increasing the number of certain other events at which~~  
9 a distillery off-site permit may be used; and generally relating to distillery off-site  
10 permits.

11 BY repealing and reenacting, with amendments,

12 Article – Alcoholic Beverages

13 Section 2–132.2

14 Annotated Code of Maryland

15 (2016 Volume and 2017 Supplement)

16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

17 That the Laws of Maryland read as follows:

### 18 **Article – Alcoholic Beverages**

19 2–132.2.

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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 (a) There is a distillery off-site permit.
- 2 (b) The Comptroller may grant the permit to a holder of a Class 1 distillery license  
3 or a Class 9 limited distillery license that meets the requirements of this section.
- 4 (c) During an event listed in subsection (e) of this section, the permit holder may:
- 5 (1) provide to a consumer not more than four liquor samples that:
- 6 (i) have been produced by the permit holder; and
- 7 (ii) do not exceed one-quarter of 1 fluid ounce for each offering; and
- 8 (2) sell to a consumer liquor that has been produced by the permit holder  
9 for off-premises consumption.
- 10 (d) While selling liquor or providing samples of liquor at an event, the permit  
11 holder shall have present at least one individual who is certified by an approved alcohol  
12 awareness program.
- 13 (e) The permit may be used at the following events:
- 14 (1) ~~the~~ Frederick County Agricultural Fair;
- 15 (2) the Maryland State Agricultural Fair;
- 16 (3) the Montgomery County Agricultural Fair; ~~ANY STATE OR COUNTY~~  
17 ~~AGRICULTURAL FAIR;~~
- 18 ~~[(4)] (2)~~ the North Beach Friday Night Farmers' Market [and];
- 19 ~~(3) (5)~~ [four] ~~36~~ other farmers' markets that:
- 20 ~~(H)~~ are listed on the farmers' market directory of the Maryland  
21 Department of Agriculture; ~~OR~~
- 22 ~~(H)~~ ~~MEET THE GUIDELINES OF THE COUNTY IN WHICH THEY ARE~~  
23 ~~LOCATED;~~
- 24 [(5)] ~~(4) (6)~~ a liquor festival under § 2-132.3 of this subtitle; and
- 25 [(6)] ~~(5) (7)~~ not more than [six] ~~36~~ **32** other events in a year that have AN  
26 **ACTIVITY** as the major purpose [of the event an activity]:
- 27 (i) that is other than the sale and promotion of alcoholic beverages;  
28 and

1 (ii) for which the participation of a distillery is a subordinate  
2 activity.

3 (f) An applicant for a permit shall complete an application on a form that the  
4 Comptroller provides.

5 (g) (1) (i) The permit holder shall notify the Comptroller of the permit  
6 holder's intention to attend an event within a time period that the Comptroller determines.

7 (ii) The notice shall be on a form that the Comptroller provides.

8 (2) The Comptroller may adopt regulations to require the permit holder to  
9 notify the local licensing board for the jurisdiction where the event is being held of the  
10 permit holder's intention to attend the event.

11 (h) The annual permit fee is \$250.

12 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June  
13 1, 2018.

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.