

SENATE BILL 23

A1

8lr0497

(PRE-FILED)

By: **Senator Waugh**

Requested: August 15, 2017

Introduced and read first time: January 10, 2018

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

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 the number of farmers’ markets at
6 which the license holder may use a distillery off-site permit; altering a certain
7 restriction on the types of farmers’ markets at which a distillery off-site permit may
8 be used; increasing the number of certain other events at which a distillery off-site
9 permit may be used; and generally relating to distillery off-site permits.

10 BY repealing and reenacting, with amendments,
11 Article – Alcoholic Beverages
12 Section 2–132.2
13 Annotated Code of Maryland
14 (2016 Volume and 2017 Supplement)

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

17 **Article – Alcoholic Beverages**

18 2–132.2.

19 (a) There is a distillery off-site permit.

20 (b) The Comptroller may grant the permit to a holder of a Class 1 distillery license
21 or a Class 9 limited distillery license that meets the requirements of this section.

22 (c) During an event listed in subsection (e) of this section, the permit holder may:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (1) provide to a consumer not more than four liquor samples that:

2 (i) have been produced by the permit holder; and

3 (ii) do not exceed one-quarter of 1 fluid ounce for each offering; and

4 (2) sell to a consumer liquor that has been produced by the permit holder
5 for off-premises consumption.

6 (d) While selling liquor or providing samples of liquor at an event, the permit
7 holder shall have present at least one individual who is certified by an approved alcohol
8 awareness program.

9 (e) The permit may be used at the following events:

10 (1) [the Frederick County Agricultural Fair;

11 (2) the Maryland State Agricultural Fair;

12 (3) the Montgomery County Agricultural Fair] **ANY STATE OR COUNTY**
13 **AGRICULTURAL FAIR;**

14 [(4) (2) the North Beach Friday Night Farmers' Market [and];

15 (3) [four] **36** other farmers' markets that:

16 (I) are listed on the farmers' market directory of the Maryland
17 Department of Agriculture; **OR**

18 (II) **MEET THE GUIDELINES OF THE COUNTY IN WHICH THEY ARE**
19 **LOCATED;**

20 [(5) (4) a liquor festival under § 2-132.3 of this subtitle; and

21 [(6) (5) not more than [six] **36** other events in a year that have **AN**
22 **ACTIVITY** as the major purpose [of the event an activity]:

23 (i) that is other than the sale and promotion of alcoholic beverages;
24 and

25 (ii) for which the participation of a distillery is a subordinate
26 activity.

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

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

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

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

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

8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June
9 1, 2018.