

HOUSE BILL 789

A2

EMERGENCY BILL

01r2013

By: **Washington County Delegation**

Introduced and read first time: February 3, 2020

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 keep certain receipts for a certain
7 period of time; requiring the permit holder to notify the Board of License
8 Commissioners for Washington County on or before a certain time before using the
9 permit; establishing a certain limit on the number of times the permit may be used;
10 establishing an annual permit fee; making conforming changes; making this Act an
11 emergency measure; and generally relating to alcoholic beverages in Washington
12 County.

13 BY repealing and reenacting, without amendments,
14 Article – Alcoholic Beverages
15 Section 31–102
16 Annotated Code of Maryland
17 (2016 Volume and 2019 Supplement)

18 BY repealing and reenacting, with amendments,
19 Article – Alcoholic Beverages
20 Section 31–401
21 Annotated Code of Maryland
22 (2016 Volume and 2019 Supplement)

23 BY adding to
24 Article – Alcoholic Beverages
25 Section 31–402.1
26 Annotated Code of Maryland
27 (2016 Volume and 2019 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

3 **Article – Alcoholic Beverages**

4 31–102.

5 This title applies only in Washington County.

6 31–401.

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

9 (1) § 2–201 (“Issuance by Comptroller”);

10 (2) § 2–202 (“Class 1 distillery license”);

11 (3) § 2–203 (“Class 9 limited distillery license”);

12 (4) § 2–204 (“Class 2 rectifying license”);

13 (5) [§ 2–205 (“Class 3 winery license”);

14 (6) § 2–206 (“Class 4 limited winery license”);

15 (7)] § 2–207 (“Class 5 brewery license”);

16 [(8)] **(6)** § 2–210 (“Class 8 farm brewery license”);

17 [(9)] **(7)** § 2–211 (“Residency requirement”);

18 [(10)] **(8)** § 2–212 (“Additional licenses”);

19 [(11)] **(9)** § 2–213 (“Additional fees”);

20 [(12)] **(10)** § 2–214 (“Sale or delivery restricted”);

21 [(13)] **(11)** § 2–216 (“Interaction between manufacturing entities and
22 retailers”);

23 [(14)] **(12)** § 2–217 (“Distribution of alcoholic beverages — Prohibited
24 practices”); and

25 [(15)] **(13)** § 2–218 (“Restrictive agreements between producers and
26 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 AN EVENT
19 FOR WHICH THE ENTIRE LICENSED PREMISES HAS BEEN RENTED.**

20 (D) **THE LICENSE HOLDER SHALL KEEP ALL RECEIPTS OF PURCHASE OF
21 ALCOHOLIC BEVERAGES FOR 1 YEAR AFTER THE DATE OF PURCHASE.**

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

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

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

27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency
28 measure, is necessary for the immediate preservation of the public health or safety, has
29 been passed by a ye and nay vote supported by three–fifths of all the members elected to
30 each of the two Houses of the General Assembly, and shall take effect from the date it is

1 enacted.