
By: Senator Hafer

Introduced and read first time: January 29, 1997

Assigned to: Economic and Environmental Affairs

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 7, 1997

CHAPTER ____

1 AN ACT concerning

2 **Garrett County - Alcoholic Beverages**3 **(Class A and A2 Winery License Licenses)**

4 FOR the purpose of adding Garrett County to provisions authorizing the issuance of a
 5 Class A light wine license in specified jurisdictions; specifying an issuing fee for a
 6 Class A light wine license in Garrett County; creating a Class A2 Winery License in
 7 Garrett County; specifying conditions, fees, and restrictions; and generally relating
 8 to alcoholic beverages in Garrett County.

9 BY renumbering

10 Article 2B - Alcoholic Beverages
 11 Section 4-201, ~~4-202~~, and 4-203, respectively
 12 to be Section 4-204, ~~4-201~~, and 4-202, respectively
 13 Annotated Code of Maryland
 14 (1996 Replacement Volume)

15 BY repealing and reenacting, with amendments,

16 Article 2B - Alcoholic Beverages
 17 Section 4-202
 18 Annotated Code of Maryland
 19 (1996 Replacement Volume)

20 BY adding to

21 Article 2B - Alcoholic Beverages
 22 Section 4-203
 23 Annotated Code of Maryland
 24 (1996 Replacement Volume)

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1 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
2 MARYLAND, That Section(s) 4-201,~~4-202~~, and 4-203, respectively, of Article 2B -
3 Alcoholic Beverages of the Annotated Code of Maryland be renumbered to be Section(s)
4 4-204,~~4-201~~, and 4-202, respectively.

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

7 **Article 2B - Alcoholic Beverages**

8 ~~[4-202.]~~ 4-201.

9 (a) A Class A light wine license may be issued only in:

10 (1) Baltimore County;

11 (2) Carroll County;

12 (3) Dorchester County;

13 (4) Frederick County;

14 (5) GARRETT COUNTY;

15 (6) Harford County;

16 ~~[(6)]~~ (7) Montgomery County;

17 ~~[(7)]~~ (8) Talbot County; and

18 ~~[(8)]~~ (9) Washington County.

19 (b) (1) The annual fee for this license is \$50.

20 (2) In Montgomery County the annual license fee is \$100.

21 (3) IN GARRETT COUNTY, THE ISSUING FEE FOR THIS LICENSE IS \$50.

22 (c) A Class A light wine license may be issued by the license issuing authority of
23 the county in which the place of business is located to any holder of a Class 4
24 manufacturer's license.

25 (d) (1) The license authorizes the holder to keep for sale and to sell light wines
26 produced at the winery in any quantity to any consumer at retail at the place described in
27 the license. The light wine shall be delivered in a sealed package or container which may
28 not be opened or the contents consumed on the licensed premises.

29 (2) In Montgomery County the licensee may not make more than 20,000
30 gallons of on-premises sales per year.

31 (e) (1) This subsection applies only in the following counties:

32 (i) Baltimore County;

33 (ii) Frederick County;

34 (iii) GARRETT COUNTY;

3

1 (IV) Harford County;

2 [(iv)] (V) Talbot County; and

3 [(v)] (VI) Washington County.

4 (2) A Class A light wine license may be issued to a holder of a Class 3
5 manufacturer's license, who makes wine from agricultural products grown in Maryland.

6 (3) Baltimore County wineries applying for a Class A/Class 3 license are
7 exempt from quotas established by the Baltimore County Liquor Board as to the number
8 of licenses in that election district.

9 4-203.

10 (A) THIS SECTION APPLIES ONLY IN GARRETT COUNTY.

11 (B) (1) THE ANNUAL LICENSE FEE IS \$150.

12 (2) WHEN THE LICENSE IS ISSUED, THERE IS A ONE-TIME ISSUING FEE
13 OF \$150.

14 (C) THE BOARD OF LICENSE COMMISSIONERS MAY ISSUE CLASS A2 LIGHT
15 WINE (ON- AND OFF-SALE) LICENSES.

16 (D) TO QUALIFY FOR A CLASS A2 LIGHT WINE (ON- AND OFF-SALE) LICENSE,
17 THE APPLICANT SHALL BE A HOLDER OF A CLASS 3 WINERY MANUFACTURER'S
18 LICENSE OR A CLASS 4 LIMITED WINERY MANUFACTURER'S LICENSE.

19 (E) THE PRIVILEGES OF A HOLDER OF A CLASS A2 LIGHT WINE LICENSE ARE
20 AS FOLLOWS:

21 (1) THE (OFF-SALE) PRIVILEGE AUTHORIZES THE HOLDER TO SELL AT
22 RETAIL THE WINE PRODUCED OR BOTTLED ON THE WINERY PREMISES FOR
23 OFF-PREMISES CONSUMPTION ONLY; AND

24 (2) THE (ON-SALE) PRIVILEGE AUTHORIZES THE HOLDER TO SELL AT
25 RETAIL THE WINE PRODUCED OR BOTTLED ON THE WINERY PREMISES BY THE
26 DRINK IN A RESTAURANT OWNED AND OPERATED BY THE HOLDER OF THE WINERY
27 LICENSE THAT IS LOCATED IMMEDIATELY ADJACENT TO THE WINERY PREMISES.

28 (F) WINE TAXES SHALL BE IMPOSED AS PROVIDED UNDER TITLE 5 OF THE
29 TAX - GENERAL ARTICLE.

30 ~~(G) THE BOARD OF LICENSE COMMISSIONERS SHALL ESTABLISH~~ THE DAYS
31 AND HOURS OF SALE UNDER THIS LICENSE SHALL BE IN ACCORDANCE WITH §
32 11-512(B)(1) OF THIS ARTICLE.

33 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
34 October 1, 1997.

