

HOUSE BILL 1043

Unofficial Copy
A2

1998 Regular Session
(8r1782)

ENROLLED BILL

-- Economic Matters/Economic and Environmental Affairs --

Introduced by **Delegates McIntosh, Krysiak, Rosenberg, Dypski, Curran,
Doory, Boston, Hammen, and Montague**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this
____ day of _____ at _____ o'clock, ____ M.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 **Baltimore City - Alcoholic Beverages - Beer and Wine Tasting**

3 FOR the purpose of increasing to a certain amount the number of Baltimore Wine
4 Festival licenses that the Board may issue annually; prohibiting the Board from
5 issuing Baltimore Wine Festival licenses for use in certain election districts;
6 authorizing the Baltimore City Board of License Commissioners to issue certain
7 beer and wine tasting licenses; limiting the number of licenses that can be
8 issued annually; authorizing the Board to issue certain licenses to certain
9 licensees; requiring the Board to set a fee for a license; specifying certain
10 amounts of alcoholic beverages that a licensee may serve under a license;
11 requiring a licensee to dispose of certain unconsumed alcoholic beverages;
12 making certain provisions of law not applicable to a licensee; setting certain
13 times that a licensee may use a license; adding certain Sundays as days on
14 which certain alcoholic beverages licensees may exercise the licensee's license
15 privileges; and generally relating to beer and wine tasting in Baltimore City.

16 BY repealing and reenacting, with amendments,

1 Article 2B - Alcoholic Beverages
2 Section 8-302 and 11-403(a)(3)
3 Annotated Code of Maryland
4 (1996 Replacement Volume and 1997 Supplement)

5 BY repealing and reenacting, without amendments,
6 Article 2B - Alcoholic Beverages
7 Section 8-403
8 Annotated Code of Maryland
9 (1996 Replacement Volume and 1997 Supplement)

10 BY adding to
11 Article 2B - Alcoholic Beverages
12 Section 8-403.1
13 Annotated Code of Maryland
14 (1996 Replacement Volume and 1997 Supplement)

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

17 **Article 2B - Alcoholic Beverages**

18 8-302.

19 (a) The Baltimore City Board of License Commissioners may issue [a] UP TO 4
20 special Baltimore Wine Festival (BWF) [license] LICENSES.

21 (b) Notwithstanding any other provision of law, an applicant for a special BWF
22 license shall be a holder of an existing State retail alcoholic beverages license, State
23 Class 3 winery license, or State Class 4 winery license issued under this article.

24 (c) A special BWF license entitles the holder to display and sell at retail wine
25 for consumption on or off the license premises on the days and for the hours designated
26 for [the] A Baltimore Wine Festival in Baltimore City.

27 (d) The license fee is \$15.

28 (e) The provisions of this section may not prohibit the licensee from holding
29 another alcoholic beverages license of a different class or nature.

30 (f) The Baltimore City Board of License Commissioners:

31 (1) May select [one weekend] 4 WEEKENDS annually for [the] A
32 Baltimore Wine Festival;

33 (2) Except as provided in paragraph (3) of this subsection, shall choose a
34 location in Baltimore City for [this festival] A FESTIVAL for which an alcoholic
35 beverages license has not been issued; and

1 (3) *May not issue a license under this section for use in election [district]*
2 DISTRICTS 46 AND 47A.

3 (g) *The Baltimore City Board of License Commissioners shall adopt*
4 regulations implementing the provisions of this section.

5 8-403.

6 (a) The Baltimore City Board of License Commissioners may issue a WS (wine
7 sampling) license to bona fide nonprofit organizations.

8 (b) The fee for this license is \$15 per day.

9 (c) The Board of License Commissioners may not grant more than 12 WS
10 licenses to any 1 bona fide nonprofit organization in each license year.

11 (d) Application shall be made for this license at least 15 days before the date
12 on which the license is issued.

13 (e) The WS license permits the transportation of wine and the consumption of
14 wine for sampling purposes:

15 (1) On a Class B or Class B-D-7 licensed premises with the
16 authorization of the respective holder; or

17 (2) On a premises that is not permanently licensed under this article.

18 (f) A holder may not serve more than 2 ounces of wine from a given brand to
19 any one person.

20 8-403.1.

21 (A) THE BALTIMORE CITY BOARD OF LICENSE COMMISSIONERS MAY ISSUE A
22 1-DAY CLASS BWT BEER AND WINE (ON-PREMISES) TASTING LICENSE.

23 (B) THE BOARD MAY ISSUE A MAXIMUM OF 12 CLASS BWT LICENSES PER
24 YEAR.

25 (C) THE BOARD MAY ISSUE A CLASS BWT LICENSE ONLY TO A CLASS A BEER
26 AND LIGHT WINE LICENSEE OR A CLASS A BEER, WINE AND LIQUOR LICENSEE.

27 (D) (1) THE BOARD SHALL SET A FEE FOR A CLASS BWT LICENSE.

28 (2) THE FEE FOR A CLASS BWT LICENSE IS IN ADDITION TO THE CLASS A
29 LICENSE ANNUAL FEE.

30 (E) A HOLDER OF A CLASS BWT LICENSE MAY PERMIT ON-PREMISES
31 CONSUMPTION OF THE FOLLOWING ALCOHOLIC BEVERAGES FOR TASTING OR
32 SAMPLING PURPOSES ONLY:

1 (1) LIGHT WINE, SERVED IN A QUANTITY OF NOT MORE THAN 1 OUNCE
2 FROM A GIVEN BRAND TO ANY ONE PERSON; AND

3 (2) BEER, SERVED IN A QUANTITY OF NOT MORE THAN 3 OUNCES FROM
4 A GIVEN BRAND TO ANY ONE PERSON.

5 (F) AT THE END OF THE DAY FOR WHICH A LICENSE IS VALID, A HOLDER OF A
6 CLASS BWT LICENSE SHALL DISPOSE OF UNCONSUMED ALCOHOLIC BEVERAGES
7 REMAINING IN A CONTAINER OPENED FOR TASTING OR SAMPLING.

8 (G) A CLASS BWT LICENSEE IS NOT RESTRICTED BY:

9 (1) § 12-107(B) OF THIS ARTICLE; OR

10 (2) § 9-102 OF THIS ARTICLE.

11 (H) A CLASS BWT LICENSEE MAY EXERCISE THE PRIVILEGES UNDER THE
12 CLASS BWT LICENSE ONLY DURING THE HOURS AND DAYS PROVIDED FOR UNDER
13 THE RESPECTIVE CLASS A LICENSE.

14 11-403.

15 (a) (3) (i) Except for the Class B Sunday off-sale license prohibition in the
16 47th alcoholic beverages district in Baltimore City as provided for in § 6-201(d) of this
17 article, in Baltimore City a Class B and a Class C beer and light wine or beer, wine
18 and liquor licensee may sell alcoholic beverages at a bar or counter on Sunday.

19 (ii) 1. Subject to the conditions provided in this subparagraph, in
20 Baltimore City, a holder of a Class A retail alcoholic beverages license may exercise the
21 off-sale license privilege on the Sundays that fall between THE SUNDAY THAT IS 2
22 SUNDAYS PRECEDING Thanksgiving Day and New Year's Day from 1 p.m. to 9 p.m.

23 2. The holder of a Class A retail off-sale license may exercise
24 the additional privilege authorized by this subparagraph in any year in which a
25 supplementary license fee of \$25 has been paid prior to October 1 for each day the
26 additional privilege is to be exercised.

27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
28 October 1, 1998.