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1998 Regular Session
8lr2359

By: Delegates Kirk, Harrison, and Fulton

Introduced and read first time: February 13, 1998

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT con	ncerning
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2 Alcoholic Beverages - Beer and Wine Festivals

- 3 FOR the purpose of adding conditions concerning wine and beer displayed and sold at
- 4 certain festivals that a special festival licensee must meet in certain counties;
- 5 clarifying certain language; authorizing certain licensees to enter into
- 6 agreements to distribute wine and beer to special festival licensees in certain
- 7 counties; repealing a provision authorizing a certain licensee to distribute wine
- 8 and beer to special festival licensees in certain counties; and generally relating
- 9 to alcoholic beverages in certain counties.
- 10 BY repealing and reenacting, with amendments,
- 11 Article 2B Alcoholic Beverages
- 12 Section 8-301, 8-306, 8-307, 8-310, and 8-313
- 13 Annotated Code of Maryland
- 14 (1996 Replacement Volume and 1997 Supplement)

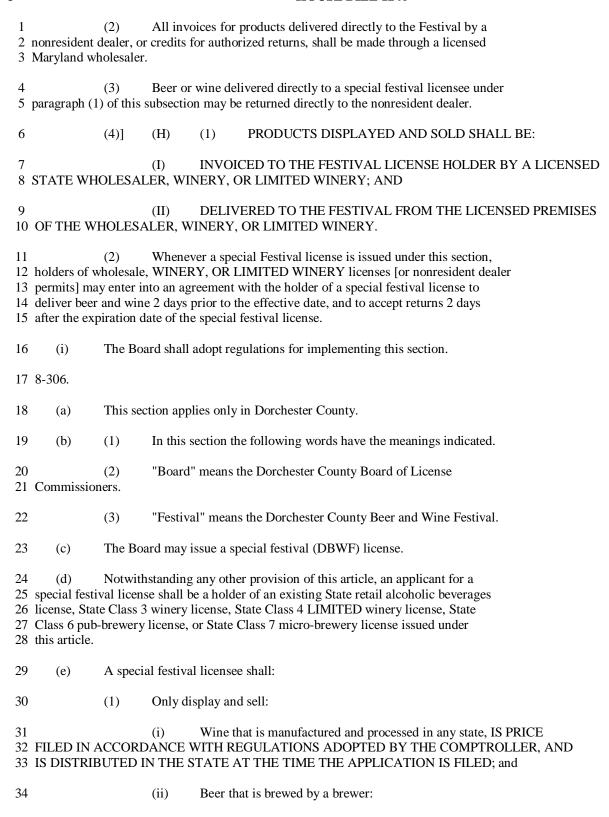
15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF

16 MARYLAND, That the Laws of Maryland read as follows:

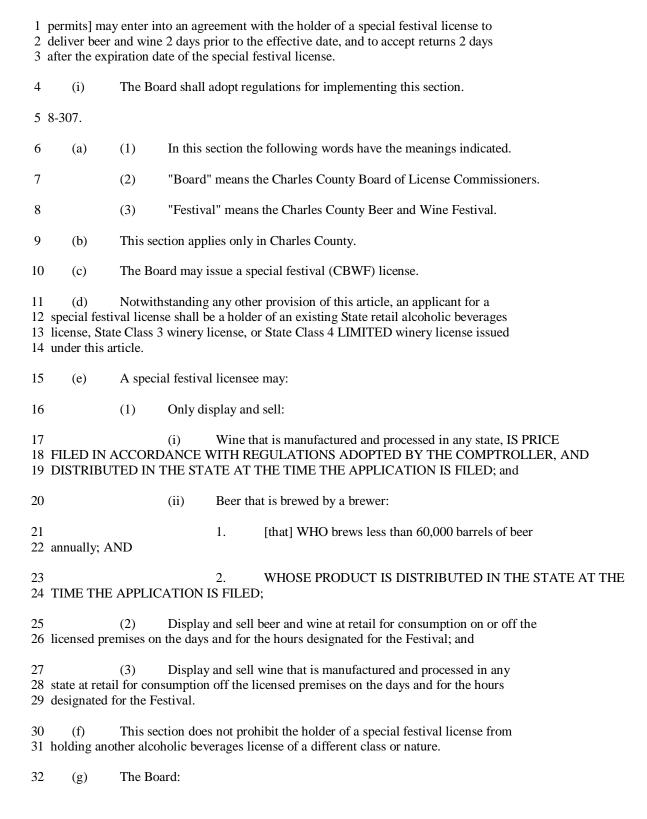
17 Article 2B - Alcoholic Beverages

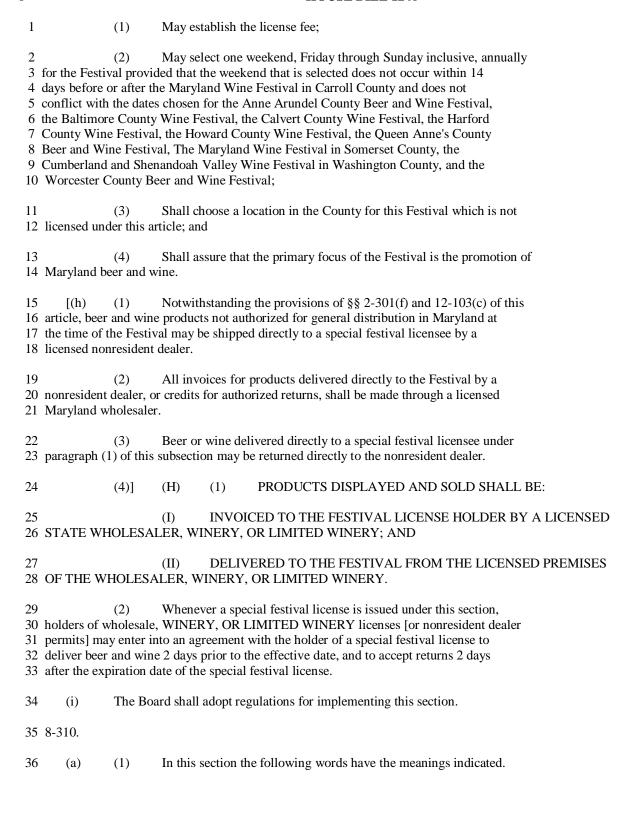
- 18 8-301.
- 19 (a) (1) In this section the following words have the meanings indicated.
- 20 (2) "Board" means the Anne Arundel County Board of License
- 21 Commissioners.
- 22 (3) "Festival" means the Anne Arundel County Beer and Wine Festival.
- 23 (b) This section applies only in Anne Arundel County.
- 24 (c) The Board may issue a special festival (AABWF) license.
- 25 (d) Notwithstanding any other provision of this article, an applicant for a
- 26 special festival license shall be a holder of an existing State retail alcoholic beverages

	license, State Class 3 winery license, or State Class 4 LIMITED winery license issued under this article.				
3	(e)	A specia	al festival	licensee	shall:
4		(1)	Only dis	splay and	sell:
7				TTH RE	at is manufactured and processed in any state, IS PRICE GULATIONS ADOPTED BY THE COMPTROLLER, AND ARKET AT THE TIME THE APPLICATION IS FILED;
9			(ii)	Beer tha	at is brewed by a brewer:
10 11	annually; A	ND		1.	[who] WHO brews less than 60,000 barrels of beer
12 13	TIME THE	APPLIC	ATION I	2. S FILED	WHOSE PRODUCT IS DISTRIBUTED IN THE STATE AT THE 9;
14 15	licensed pre	(2) mises on			beer and wine at retail for consumption on or off the he hours designated for the Festival; and
	state at retai designated f		sumption		wine that is manufactured and processed in any censed premises on the days and for the hours
19 20	9 (f) This section does not prohibit the holder of a special festival license from 0 holding another alcoholic beverages license of a different class or nature.				
21	1 (g) The Board:				
22		(1)	May est	ablish the	e license fee;
	May select one weekend, Friday through Sunday inclusive, annually for the Festival provided that the weekend that is selected does not occur within 14 days on either side of the Maryland Wine Festival;				
26 27	licensed und	(3) der this a			cation in the County for this Festival which is not
28 29	Maryland be	(4) eer and w		sure that	the primary focus of the Festival is the promotion of
32		he Festiv	products	s not auth	the provisions of §§ 2-301(f) and 12-103(c) of this norized for general distribution in Maryland at directly to a special festival licensee by a

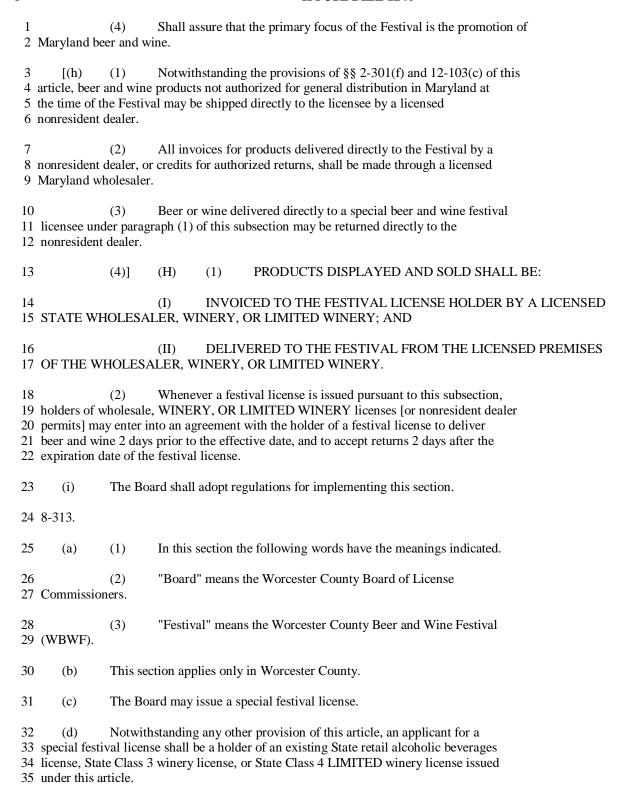


1 2	annually; AND	1.	[who] WHO brews less than 40,000 barrels of beer
3 4	TIME THE APPLICA	2. ATION IS FILED;	WHOSE PRODUCT IS DISTRIBUTED IN THE STATE AT THE
5 6	(2) licensed premises on t		beer and wine at retail for consumption on or off the ne hours designated for the Festival; and
	(3) state at retail for const designated for the Fes	umption off the lic	wine that is manufactured and processed in any censed premises on the days and for the hours
10 11			nibit the holder of a special festival license from tense of a different class or nature.
12	(g) The Boa	ırd:	
13	(1)	May establish the	e license fee;
14 15	(2) for the Festival;	May select one w	veekend, Friday through Sunday inclusive, annually
16 17	(3) licensed under this ar		this Festival a location in the County that is not
18 19	(4) Maryland beer and w		the primary focus of the Festival is the promotion of
22	article, beer and wine	e products not auth ral may be shipped	the provisions of §§ 2-301(f) and 12-103(c) of this norized for general distribution in Maryland at directly to a special festival licensee by a
	\ /	r credits for author	products delivered directly to the Festival by a rized returns, shall be made through a licensed
27 28			ivered directly to a special festival licensee under e returned directly to the nonresident dealer.
29	(4)]	(H) (1)	PRODUCTS DISPLAYED AND SOLD SHALL BE:
30 31		` /	CED TO THE FESTIVAL LICENSE HOLDER BY A LICENSED OR LIMITED WINERY; AND
32 33			ERED TO THE FESTIVAL FROM THE LICENSED PREMISES OR LIMITED WINERY.
34 35	()		ial festival license is issued under this section, IMITED WINERY licenses [or nonresident dealer





1 2	Commission	(2) ers.	"Board"	means th	he Queen Anne's County Board of License			
3 4	(QABWF).	(3)	"Festival	l" means	the Queen Anne's County Beer and Wine Festival			
5	(b)	This sec	tion appli	es only i	in Queen Anne's County.			
6	(c)	The Boa	ırd may is	sue a spe	ecial festival license.			
9		Notwithstanding any other provision of this article, an applicant for a sestival license shall be a holder of an existing State retail alcoholic beverages State Class 3 winery license, or State Class 4 LIMITED winery license issued his article.						
11	(e)	A specia	al festival	licensee	shall:			
12		(1)	Only dis	play and	sell:			
				/ITH RE	at is manufactured and processed in any state, IS PRICE GULATIONS ADOPTED BY THE COMPTROLLER, AND THE TIME THE APPLICATION IS FILED; and			
16			(ii)	Beer tha	at is brewed by a brewer:			
17 18	annually; A	ND		1.	[who] WHO brews less than 60,000 barrels of beer			
19 20	2. WHOSE PRODUCT IS DISTRIBUTED IN THE STATE AT THE TIME THE APPLICATION IS FILED;							
21 22	licensed pre	(2) emises on			beer and wine at retail for consumption on or off the he hours designated for the Festival; and			
	B (3) Display and sell wine that is manufactured and processed in any state at retail for consumption off the licensed premises on the days and for the hours designated for the Festival.							
26 27	This section does not prohibit the holder of a special festival license from holding another alcoholic beverages license of a different class or nature.							
28	(g)	The Boa	ırd:					
29		(1)	May esta	ablish the	e license fee;			
	for the Festi days on eith		ded that the	he weeke	weekend, Friday through Sunday inclusive, annually end that is selected does not occur within 14 ine Festival;			
33 34	licensed und	(3) der this ar			ocation in the county for this Festival which is not			



1	(e)	A specia	al festival	ensee shall:	
2		(1)	Only dis	y and sell:	
					I processed in any state, IS PRICE TED BY THE COMPTROLLER, AND ICATION IS FILED; and
6			(ii)	eer that is brewed by a brewe	er:
7 8	annually; AM	ND		[who] WHO brews le	ess than 60,000 barrels of beer
9 10	TIME THE	APPLIC	ATION I		IS DISTRIBUTED IN THE STATE AT THE
11 12	licensed pre	(2) emises on		d sell beer and wine at retail d for the hours designated for	for consumption on or off the or the Festival; and
	state at retai designated f		sumption	d sell wine that is manufacture the licensed premises on the	
16 17	· /			ot prohibit the holder of a spo ges license of a different cla	
18	(g)	The Boa	ırd:		
19		(1)	May esta	ish the license fee;	
	for the Festi weekend as		ded that t	weekend that is selected do	th Sunday inclusive, annually es not occur on the same
23 24	licensed und	(3) der this ar		e a location in the County f	or this Festival which is not
25 26	Maryland be	(4) eer and w		e that the primary focus of the	ne Festival is the promotion of
29		the Festiv	products	nding the provisions of §§ 2 ot authorized for general dis hipped directly to the license	
	nonresident Maryland w		r credits f	s for products delivered dire authorized returns, shall be	

16 October 1, 1998.

	(3) licensee under paragra nonresident dealer.			vered directly to a special beer and wine festival section may be returned directly to the
4	(4)]	(H)	(1)	PRODUCTS DISPLAYED AND SOLD SHALL BE:
5 6	STATE WHOLESAL	(I) ER, WIN		ED TO THE FESTIVAL LICENSE HOLDER BY A LICENSED R LIMITED WINERY; AND
7 8	OF THE WHOLESAI	(II) LER, WI		ERED TO THE FESTIVAL FROM THE LICENSED PREMISES OR LIMITED WINERY.
11 12	nonresident dealer pe	rmits] mar r and win	lle, WINI ay enter in le 2 days	er a festival license is issued pursuant to this ERY, OR LIMITED WINERY licenses [or not an agreement with the holder of a festival prior to the effective date, and to accept of the festival license.
14	(i) The Boa	rd shall a	ıdopt regi	ulations for implementing this section.
15	SECTION 2. AN	D BE IT	FURTHE	ER ENACTED, That this Act shall take effect