

HOUSE BILL 1321
EMERGENCY BILL

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1998 Regular Session
8r2363

By: **Delegate Barve**

Introduced and read first time: February 19, 1998

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Alcoholic Beverages - Wineries - Samples**

3 FOR the purpose of authorizing a winery and a limited winery to provide free samples
4 of wine under certain conditions; limiting to a certain amount the total of wine
5 samples that a winery or limited winery may serve to an individual; making this
6 Act an emergency measure; and generally relating to wineries in the State.

7 BY repealing and reenacting, with amendments,
8 Article 2B - Alcoholic Beverages
9 Section 2-204 and 2-205(a)
10 Annotated Code of Maryland
11 (1996 Replacement Volume and 1997 Supplement)

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

14 **Article 2B - Alcoholic Beverages**

15 2-204.

16 A Class 3 manufacturer's license:

17 (1) Is a winery license; and

18 (2) Authorizes the holder to:

19 (i) Establish and operate in this State a plant for fermenting and
20 bottling wine at the location described in the license;

21 (ii) Import bulk wine from the holder of a nonresident dealer's
22 permit;

23 (iii) Sell and deliver wine to any wholesale licensee or permit holder
24 in this State, or person outside of this State authorized to acquire wine; [and]

1 (iv) Sell wine made from products grown in Maryland at a retail
2 price at the plant to persons participating in a guided tour of the facility. The
3 purchase shall be limited to not more than one quart per person per year provided the
4 purchaser has attained the Maryland legal drinking age; AND

5 (V) SERVE AT NO CHARGE UP TO 10 OUNCES FOR SAMPLES OF
6 WINE MADE AT THE PLANT TO PERSONS PARTICIPATING IN A GUIDED TOUR OF THE
7 FACILITY.

8 2-205.

9 (a) A Class 4 manufacturer's license:

10 (1) Is a limited winery license;

11 (2) Authorizes the holder to establish and operate in this State a plant
12 for fermenting and bottling wine made from Maryland agriculture products at the
13 location described in the license, unless the Secretary of Agriculture determines that
14 there is insufficient supply available of Maryland agriculture products; and

15 (3) Permits the license holder to:

16 (i) Sell and deliver this wine to any licensee or permit holder in
17 this State, or person outside of this State, authorized to acquire it; [or]

18 (ii) Sell this wine made at the plant to persons participating in a
19 guided tour of the facility. The purchase is limited to one quart of each brand per
20 person per year. Any person who has attained the Maryland legal drinking age may
21 purchase the wine. The licensee may operate only in one location in the State; AND

22 (III) SERVE AT NO CHARGE UP TO 10 OUNCES FOR SAMPLES OF
23 WINE MADE AT THE PLANT TO PERSONS PARTICIPATING IN A GUIDED TOUR OF THE
24 FACILITY.

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