

SENATE BILL 476

Unofficial Copy  
A2

2000 Regular Session  
(01r0987)

ENROLLED BILL

-- Economic and Environmental Affairs/Economic Matters --

Introduced by **Senator Colburn**

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.

\_\_\_\_\_  
President.

CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Wicomico County - Alcoholic Beverages - Wine Tasting Permit and**  
3 **Sampling**

4 FOR the purpose of ~~creating in Wicomico County a wine tasting (WT) permit;~~  
5 ~~specifying certain persons to be eligible to be issued a WT permit; establishing a~~  
6 ~~certain permit fee; creating certain procedures for the application, renewal, and~~  
7 ~~the granting or denial of a WT permit; establishing a notice requirement;~~  
8 ~~restricting in certain ways the amount of wine that may be served and bottles~~  
9 ~~that may be opened at a wine tasting or sampling event; and generally relating~~  
10 ~~to wine tasting or sampling in Wicomico County authorizing the Board of~~  
11 ~~License Commissioners to issue a wine tasting (WT) license for wine tasting and~~  
12 ~~sampling events; restricting license holders to certain persons; specifying an~~  
13 ~~annual license fee; providing for the application and renewal of a license;~~  
14 ~~allowing a license applicant to request a public hearing under certain~~  
15 ~~circumstances; restricting the amount of wine that may be served in a certain~~  
16 ~~way; restricting the number of bottles that may be opened at one time at an event;~~  
17 ~~restricting the number of days during which events may be held; requiring~~

1 certain procedures to be followed during an event; and generally relating to wine  
2 tasting licenses issued in Wicomico County.

3 BY adding to  
4 Article 2B - Alcoholic Beverages  
5 Section 8-412  
6 Annotated Code of Maryland  
7 (1998 Replacement Volume and 1999 Supplement)

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

10 **Article 2B - Alcoholic Beverages**

11 8-412.

12 ~~(A) THIS SECTION APPLIES ONLY IN WICOMICO COUNTY.~~

13 ~~(B) (1) A WINE TASTING (WT) PERMIT MAY ONLY BE ISSUED TO A HOLDER~~  
14 ~~OF A CLASS A BEER AND WINE (OFF-SALE) LICENSE.~~

15 ~~(2) A WT PERMIT MAY BE ISSUED ONLY FOR ON-PREMISES~~  
16 ~~CONSUMPTION.~~

17 ~~(C) THE ANNUAL PERMIT FEE IS \$150.~~

18 ~~(D) (1) AN APPLICATION FOR A WT PERMIT SHALL BE MADE ON A FORM~~  
19 ~~THAT THE BOARD OF LICENSE COMMISSIONERS FOR WICOMICO COUNTY PROVIDES.~~

20 ~~(2) A RENEWAL OF A WT PERMIT MAY BE MADE AT THE TIME THE CLASS~~  
21 ~~A BEER AND WINE (OFF-SALE) LICENSE IS RENEWED.~~

22 ~~(3) WITHOUT A HEARING, THE BOARD MAY APPROVE OR DENY AN~~  
23 ~~APPLICATION FOR A WT PERMIT.~~

24 ~~(4) IF AN APPLICATION FOR A WT PERMIT IS DENIED, ON THE~~  
25 ~~APPLICANT'S REQUEST THE BOARD SHALL HOLD A PUBLIC HEARING TO RECONSIDER~~  
26 ~~THE APPLICATION.~~

27 ~~(E) A WT PERMIT HOLDER SHALL NOTIFY THE BOARD IN WRITING AT LEAST 5~~  
28 ~~BUSINESS DAYS BEFORE EACH WINE TASTING OR SAMPLING EVENT.~~

29 ~~(F) (1) A WT PERMIT HOLDER MAY NOT MIX THE CONTENTS OF ONE BOTTLE~~  
30 ~~WITH ANOTHER.~~

31 ~~(2) ONCE OPENED, EACH BOTTLE USED FOR THE WINE TASTING OR~~  
32 ~~SAMPLING EVENT SHALL BE MARKED THAT IT IS TO BE USED ONLY FOR THAT~~  
33 ~~EVENT.~~

1           (3)     A WT PERMIT HOLDER SHALL DESTROY EACH BOTTLE AFTER IT IS  
2 EMPTY.

3           (G)     A WT PERMIT HOLDER MAY NOT:

4           (1)     SERVE TO ANY PERSON FOR TASTING OR SAMPLING PURPOSES MORE  
5 THAN 2 OUNCES FROM EACH BRAND NOR MORE THAN SIX SAMPLES PER DAY;

6           (2)     HAVE OPEN MORE THAN SIX BOTTLES OF WINE AT ONCE;

7           (3)     HOLD WINE TASTING OR SAMPLING EVENTS ON MORE THAN 15 DAYS  
8 DURING EACH PERMIT PERIOD; AND

9           (4)     CONDUCT WINE TASTING OR SAMPLING FROM A DRIVE-THROUGH  
10 WINDOW.

11          (A)     THIS SECTION APPLIES ONLY IN WICOMICO COUNTY.

12          (B)     (1)     THE BOARD OF LICENSE COMMISSIONERS MAY ISSUE A WINE  
13 TASTING (WT) LICENSE FOR WINE TASTING AND SAMPLING.

14                 (2)     A WT LICENSE MAY BE ISSUED ONLY TO A HOLDER OF A CLASS A  
15 BEER AND WINE (OFF-SALE) LICENSE.

16          (C)     THE ANNUAL WT LICENSE FEE IS \$150.

17          (D)     (1)     AN APPLICATION FOR A WT LICENSE SHALL BE MADE ON A FORM  
18 THAT THE BOARD OF LICENSE COMMISSIONERS PROVIDES.

19                 (2)     A RENEWAL OF THE WT LICENSE MAY BE MADE AT THE TIME THE  
20 CLASS A BEER AND WINE (OFF-SALE) LICENSE IS RENEWED.

21                 (3)     THE BOARD OF LICENSE COMMISSIONERS MAY GRANT A WT  
22 LICENSE WITHOUT A HEARING.

23                 (4)     IF AN APPLICATION FOR A WT LICENSE IS DENIED, THE APPLICANT  
24 MAY REQUEST A PUBLIC HEARING BEFORE THE BOARD OF LICENSE  
25 COMMISSIONERS.

26          (E)     (1)     A WT LICENSE HOLDER MAY NOT SERVE TO ANY PERSON FOR  
27 SAMPLING OR TASTING PURPOSES MORE THAN 1 OUNCE FROM EACH BRAND.

28                 (2)     A MAXIMUM OF SIX BOTTLES MAY BE OPENED AT ANY ONE TIME AT  
29 A WINE SAMPLING OR TASTING EVENT.

30                 (3)     THE TOTAL NUMBER OF DAYS DURING WHICH WINE SAMPLING OR  
31 TASTING EVENTS ARE HELD MAY NOT EXCEED 15 IN ANY PERIOD FOR WHICH A WT  
32 LICENSE IS IN EFFECT.

1           (4)     A WT LICENSE HOLDER SHALL NOTIFY THE BOARD OF LICENSE  
2 COMMISSIONERS IN WRITING AT LEAST 5 DAYS BEFORE A WINE SAMPLING OR  
3 TASTING EVENT.

4           (5)     ONCE OPENED, EACH BOTTLE USED FOR A WINE SAMPLING OR  
5 TASTING EVENT SHALL BE MARKED THAT IT IS TO BE USED FOR THAT PURPOSE  
6 ONLY.

7           (6)     THE CONTENTS OF EACH BOTTLE MAY NOT BE MIXED WITH ANY  
8 OTHER BOTTLE, AND ALL BOTTLES SHALL BE DESTROYED ONCE THEY ARE EMPTY.

9     (F)     (1)     A WT LICENSE IS FOR ON-PREMISES CONSUMPTION ONLY.

10           (2)     WINE SAMPLING OR TASTING MAY NOT BE CONDUCTED FROM A  
11 DRIVE-THROUGH WINDOW.

12     SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
13 October 1, 2000.