
By: **Delegate Edwards**

Introduced and read first time: January 31, 2001

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Garrett County - Alcoholic Beverages - Wine Festival License**

3 FOR the purpose of creating in Garrett County a wine festival alcoholic beverages
4 license; providing for the terms and conditions of the license; authorizing direct
5 sale of alcoholic beverages from a wholesaler or producer to a wine festival
6 licensee under certain circumstances; specifying certain conditions for the date
7 of the festival; requiring the wine festival licensee to have a certain alcoholic
8 beverages license; authorizing a wine festival licensee to hold another alcoholic
9 beverages license of a different class or nature; authorizing the Garrett County
10 Board of License Commissioners to establish certain fees, approve a festival date
11 and location, and adopt certain regulations; and generally relating to alcoholic
12 beverages in Garrett County.

13 BY adding to
14 Article 2B - Alcoholic Beverages
15 Section 8-307.1
16 Annotated Code of Maryland
17 (1998 Replacement Volume and 2000 Supplement)

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

20 **Article 2B - Alcoholic Beverages**

21 8-307.1.

22 (A) IN THIS SECTION, "BOARD" MEANS THE GARRETT COUNTY BOARD OF
23 LICENSE COMMISSIONERS.

24 (B) THIS SECTION APPLIES ONLY IN GARRETT COUNTY.

25 (C) THE BOARD MAY ISSUE ANNUALLY ONE WINE FESTIVAL LICENSE.

26 (D) NOTWITHSTANDING ANY OTHER PROVISION OF THIS ARTICLE, AN
27 APPLICANT FOR A WINE FESTIVAL LICENSE SHALL BE A HOLDER, WITHIN THE

1 COUNTY, OF AN EXISTING RETAIL ALCOHOLIC BEVERAGES LICENSE, STATE CLASS 3
2 WINERY LICENSE, OR STATE CLASS 4 LIMITED WINERY LICENSE.

3 (E) A WINE FESTIVAL LICENSEE SHALL:

4 (1) ONLY DISPLAY AND SELL WINE THAT IS:

5 (I) MANUFACTURED AND PROCESSED IN A STATE;

6 (II) PRICE FILED IN ACCORDANCE WITH REGULATIONS ADOPTED
7 BY THE COMPTROLLER; AND

8 (III) DISTRIBUTED IN THE STATE AT THE TIME THE APPLICATION IS
9 FILED; AND

10 (2) DISPLAY AND SELL WINE AT RETAIL FOR CONSUMPTION ON OR OFF
11 THE LICENSED PREMISES ON THE DAYS AND FOR THE HOURS DESIGNATED FOR THE
12 WINE FESTIVAL.

13 (F) THE BOARD SHALL:

14 (1) ESTABLISH THE LICENSE FEE;

15 (2) APPROVE ONE OR TWO DAYS, EXCLUDING SUNDAY, ANNUALLY FOR
16 THE WINE FESTIVAL PROVIDED THAT THE DAYS SELECTED DO NOT OCCUR ON THE
17 SAME WEEKEND AS THE MARYLAND WINE FESTIVAL; AND

18 (3) APPROVE A LOCATION IN THE COUNTY THAT IS NOT LICENSED
19 UNDER THIS ARTICLE FOR THE WINE FESTIVAL.

20 (G) (1) PRODUCTS TO BE DISPLAYED AND SOLD AT THE WINE FESTIVAL
21 SHALL BE:

22 (I) INVOICED TO THE WINE FESTIVAL LICENSE HOLDER BY A
23 LICENSED STATE WHOLESALER, WINERY, OR LIMITED WINERY; AND

24 (II) DELIVERED TO THE WINE FESTIVAL FROM THE LICENSED
25 PREMISES OF THE WHOLESALER, WINERY, OR LIMITED WINERY.

26 (2) WHENEVER A WINE FESTIVAL LICENSE IS ISSUED UNDER THIS
27 SECTION, HOLDERS OF WHOLESALE, WINERY, OR LIMITED WINERY LICENSES MAY
28 ENTER INTO AN AGREEMENT WITH THE HOLDER OF A WINE FESTIVAL LICENSE TO
29 DELIVER BEER AND WINE 2 DAYS PRIOR TO THE EFFECTIVE DATE OF THE WINE
30 FESTIVAL LICENSE AND TO ACCEPT RETURNS 2 DAYS AFTER THE EXPIRATION DATE
31 OF THE WINE FESTIVAL LICENSE.

32 (H) THE BOARD SHALL ADOPT REGULATIONS TO IMPLEMENT THIS SECTION.

33 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
34 July 1, 2001.