

HOUSE BILL 962

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A2

2001 Regular Session  
11r2365  
CF 11r2424

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By: **Delegates McIntosh, Clagett, Harrison, and Montague**  
Introduced and read first time: February 9, 2001  
Assigned to: Economic Matters

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A BILL ENTITLED

1 AN ACT concerning

2 **Alcoholic Beverages - Interstate Shipment - Wine Clubs and On-Site Winery**  
3 **Purchasers**

4 FOR the purpose of exempting certain persons from the prohibition against selling or  
5 distributing wine in or from another state to a member of a wine club or an  
6 on-site winery purchaser in Maryland under certain circumstances; and  
7 generally relating to the interstate shipment of alcoholic beverages.

8 BY repealing and reenacting, with amendments,  
9 Article 2B - Alcoholic Beverages  
10 Section 16-506.1  
11 Annotated Code of Maryland  
12 (1998 Replacement Volume and 2000 Supplement)

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

15 **Article 2B - Alcoholic Beverages**

16 16-506.1.

17 (a) (1) THIS SECTION DOES NOT APPLY TO A PERSON IN THE BUSINESS OF  
18 SELLING OR DISTRIBUTING WINE IN OR FROM ANOTHER STATE WHO SHIPS NO MORE  
19 THAN 2 BOTTLES OF WINE PER MONTH DIRECTLY TO A RECIPIENT IN THIS STATE, IF  
20 THE RECIPIENT:

21 (I) PURCHASES THE WINE AS A MEMBER OF A WINE CLUB; OR

22 (II) PURCHASES THE WINE FROM THE PERSON ON THE PREMISES  
23 OF THE WINERY.

24 [(1)] (2) A person in the business of selling or distributing alcoholic  
25 beverages in or from another state may not ship, cause to be shipped, or deliver  
26 alcoholic beverages directly to a recipient in this State if the seller, distributor,  
27 shipper, transporter, or recipient does not hold the requisite license or permit under  
28 this article.

1            [(2)]    (3)        The prohibition under paragraph [(1)] (2) of this subsection  
2 includes alcoholic beverages that are ordered or purchased through a computer  
3 network.

4        (b)        A person who violates this section is guilty of a felony and on conviction is  
5 subject to a fine not exceeding \$1,000 or imprisonment not exceeding 2 years or both.

6        SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take  
7 effect October 1, 2001.