

SENATE BILL 154

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2002 Regular Session
(2r1037)

ENROLLED BILL

-- Education, Health, and Environmental Affairs/Economic Matters --

Introduced by **Senator Della**

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 **Baltimore County - Licenses - Special Wine Festival and Special Beer**
3 **Festival**

4 FOR the purpose of altering the scope, terms, and conditions of a certain license
5 issued by the Baltimore County Board of License Commissioners to make it
6 apply only to certain licensees who display and sell certain wine at a wine
7 festival; repealing certain restrictions on the display and sale of wine and beer;
8 establishing in Baltimore County a special beer festival license; specifying
9 certain conditions on licensees, ~~restrictions on display and sale,~~ and the scope,
10 fee, and time and location requirements for a special beer festival license;
11 requiring the Baltimore County Board of License Commissioners to ensure the
12 primary focus of certain festivals; requiring the Baltimore County Board of
13 License Commissioners to adopt certain regulations; making a certain stylistic
14 change; and generally relating to special beer festival licenses and special wine
15 festival licenses in Baltimore County.

16 BY repealing and reenacting, with amendments,

1 Article 2B - Alcoholic Beverages
 2 Section 8-304
 3 Annotated Code of Maryland
 4 (2001 Replacement Volume)

5 BY adding to
 6 Article 2B - Alcoholic Beverages
 7 Section 8-802
 8 Annotated Code of Maryland
 9 (2001 Replacement Volume)

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

12 **Article 2B - Alcoholic Beverages**

13 8-304.

14 (a) The Baltimore County Board of License Commissioners may issue a
 15 special [beer and] wine festival license.

16 (b) Notwithstanding any other provision to the contrary, an applicant for a
 17 special [beer and] wine festival license shall be a holder of a requisite existing retail
 18 alcoholic beverages license issued in the State, [Class 5 brewery license, Class 7
 19 micro-brewery license,] State Class 3 winery license, or State Class 4 winery license
 20 issued pursuant to this article.

21 ~~(c) A special [beer and] wine festival licensee shall only display and sell:~~

22 ~~(1) Wine] WINE that is produced and processed in Maryland; and~~

23 ~~(2) Beer that is produced and processed at a Class 5 brewery or a Class 7~~
 24 ~~micro brewery in Maryland.]~~

25 ~~(d)~~ (C) A special [beer and] wine festival license entitles the holder to
 26 display and sell at retail [beer and] wine for consumption on or off the licensed
 27 premises on the days and for the hours designated for the special [beer and] wine
 28 festival in Baltimore County.

29 ~~(e)~~ (D) The license fee is \$15.

30 ~~(f)~~ (E) The provisions of this section may not prohibit the licensee from
 31 holding another alcoholic beverages license of a different class or nature.

32 ~~(g)~~ (F) The Baltimore County Board of License Commissioners:

33 (1) Except for the dates chosen for the Cumberland and Shenandoah
 34 Valley Wine Festival in Washington County, the Maryland Wine Festival in Carroll

1 County and the Anne Arundel County Beer and Wine [Festival] FESTIVAL, shall
 2 approve one weekend annually for the special [beer and] wine festival; ~~and~~

3 (2) Shall approve a location in Baltimore County for ~~this~~ THE SPECIAL
 4 WINE festival which does not hold an alcoholic beverages license; AND

5 (3) SHALL ENSURE THAT THE PRIMARY FOCUS OF THE SPECIAL WINE
 6 FESTIVAL IS THE PROMOTION OF MARYLAND WINE.

7 ~~(H)~~ (G) The Baltimore County Board of License Commissioners shall adopt
 8 regulations for implementing this section.

9 8-802.

10 (A) THE BALTIMORE COUNTY BOARD OF LICENSE COMMISSIONERS MAY
 11 ISSUE A SPECIAL BEER FESTIVAL LICENSE.

12 (B) NOTWITHSTANDING ANY OTHER PROVISION TO THE CONTRARY, AN
 13 APPLICANT FOR A SPECIAL BEER FESTIVAL LICENSE SHALL BE A HOLDER OF AN
 14 EXISTING RETAIL ALCOHOLIC BEVERAGES LICENSE ISSUED IN THE STATE, CLASS 5
 15 BREWERY LICENSE, OR CLASS 7 MICRO-BREWERY LICENSE, ISSUED IN ACCORDANCE
 16 WITH THIS ARTICLE.

17 ~~(C) A SPECIAL BEER FESTIVAL LICENSEE SHALL ONLY DISPLAY AND SELL~~
 18 ~~BEER THAT IS PRODUCED AND PROCESSED AT A CLASS 5 BREWERY OR A CLASS 7~~
 19 ~~MICRO-BREWERY IN MARYLAND.~~

20 ~~(D)~~ (C) A SPECIAL BEER FESTIVAL LICENSE ENTITLES THE HOLDER TO
 21 DISPLAY AND SELL AT RETAIL BEER FOR CONSUMPTION ON OR OFF THE LICENSED
 22 PREMISES ON THE DAYS AND FOR THE HOURS DESIGNATED FOR THE SPECIAL BEER
 23 FESTIVAL IN BALTIMORE COUNTY.

24 ~~(E)~~ (D) THE LICENSE FEE IS \$15.

25 ~~(F)~~ (E) THE PROVISIONS OF THIS SECTION MAY NOT PROHIBIT THE
 26 LICENSEE FROM HOLDING ANOTHER ALCOHOLIC BEVERAGES LICENSE OF A
 27 DIFFERENT CLASS OR NATURE.

28 ~~(G)~~ (F) THE BALTIMORE COUNTY BOARD OF LICENSE COMMISSIONERS:

29 (1) EXCEPT FOR THE DATES CHOSEN FOR THE CUMBERLAND AND
 30 SHENANDOAH VALLEY WINE FESTIVAL IN WASHINGTON COUNTY, THE MARYLAND
 31 WINE FESTIVAL IN CARROLL COUNTY, AND THE ANNE ARUNDEL COUNTY BEER AND
 32 WINE FESTIVAL, SHALL APPROVE ONE WEEKEND ANNUALLY FOR THE SPECIAL BEER
 33 FESTIVAL; ~~AND~~

34 (2) SHALL APPROVE A LOCATION IN BALTIMORE COUNTY FOR ~~THIS~~ THE
 35 SPECIAL BEER FESTIVAL WHICH DOES NOT HOLD AN ALCOHOLIC BEVERAGES
 36 LICENSE; AND

1 (3) SHALL ENSURE THAT THE PRIMARY FOCUS OF THE SPECIAL BEER
2 FESTIVAL IS THE PROMOTION OF MARYLAND BEER.

3 ~~(H)~~ (G) THE BALTIMORE COUNTY BOARD OF LICENSE COMMISSIONERS
4 SHALL ADOPT REGULATIONS FOR IMPLEMENTING THIS SECTION.

5 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
6 June 1, 2002.