

SENATE BILL 154

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A2

2002 Regular Session  
2r1037

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By: **Senator Della**

Introduced and read first time: January 14, 2002

Assigned to: Education, Health, and Environmental Affairs

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Committee Report: Favorable

Senate action: Adopted

Read second time: March 22, 2002

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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; establishing in Baltimore County a special beer festival license;  
8 specifying certain conditions on licensees, restrictions on display and sale, and  
9 the scope, fee, and time and location requirements for a special beer festival  
10 license; requiring the Baltimore County Board of License Commissioners to  
11 adopt certain regulations; and generally relating to special beer festival licenses  
12 and special wine festival licenses in Baltimore County.

13 BY repealing and reenacting, with amendments,  
14 Article 2B - Alcoholic Beverages  
15 Section 8-304  
16 Annotated Code of Maryland  
17 (2001 Replacement Volume)

18 BY adding to  
19 Article 2B - Alcoholic Beverages  
20 Section 8-802  
21 Annotated Code of Maryland  
22 (2001 Replacement Volume)

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

**Article 2B - Alcoholic Beverages**

1 8-304.

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

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

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

10 (1) Wine] WINE that is produced and processed in Maryland[; and

11 (2) Beer that is produced and processed at a Class 5 brewery or a Class 7  
12 micro-brewery in Maryland].

13 (d) A special [beer and] wine festival license entitles the holder to display and  
14 sell at retail [beer and] wine for consumption on or off the licensed premises on the  
15 days and for the hours designated for the special [beer and] wine festival in  
16 Baltimore County.

17 (e) The license fee is \$15.

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

20 (g) The Baltimore County Board of License Commissioners:

21 (1) Except for the dates chosen for the Cumberland and Shenandoah  
22 Valley Wine Festival in Washington County, the Maryland Wine Festival in Carroll  
23 County and the Anne Arundel County Beer and Wine [Festival] FESTIVAL, shall  
24 approve one weekend annually for the special [beer and] wine festival; and

25 (2) Shall approve a location in Baltimore County for this festival which  
26 does not hold an alcoholic beverages license.

27 (h) The Baltimore County Board of License Commissioners shall adopt  
28 regulations for implementing this section.

29 8-802.

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

32 (B) NOTWITHSTANDING ANY OTHER PROVISION TO THE CONTRARY, AN  
33 APPLICANT FOR A SPECIAL BEER FESTIVAL LICENSE SHALL BE A HOLDER OF AN  
34 EXISTING RETAIL ALCOHOLIC BEVERAGES LICENSE ISSUED IN THE STATE, CLASS 5  
35

1 BREWERY LICENSE, OR CLASS 7 MICRO-BREWERY LICENSE, ISSUED IN ACCORDANCE  
2 WITH THIS ARTICLE.

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

6 (D) A SPECIAL BEER FESTIVAL LICENSE ENTITLES THE HOLDER TO DISPLAY  
7 AND SELL AT RETAIL BEER FOR CONSUMPTION ON OR OFF THE LICENSED PREMISES  
8 ON THE DAYS AND FOR THE HOURS DESIGNATED FOR THE SPECIAL BEER FESTIVAL  
9 IN BALTIMORE COUNTY.

10 (E) THE LICENSE FEE IS \$15.

11 (F) THE PROVISIONS OF THIS SECTION MAY NOT PROHIBIT THE LICENSEE  
12 FROM HOLDING ANOTHER ALCOHOLIC BEVERAGES LICENSE OF A DIFFERENT CLASS  
13 OR NATURE.

14 (G) THE BALTIMORE COUNTY BOARD OF LICENSE COMMISSIONERS:

15 (1) EXCEPT FOR THE DATES CHOSEN FOR THE CUMBERLAND AND  
16 SHENANDOAH VALLEY WINE FESTIVAL IN WASHINGTON COUNTY, THE MARYLAND  
17 WINE FESTIVAL IN CARROLL COUNTY, AND THE ANNE ARUNDEL COUNTY BEER AND  
18 WINE FESTIVAL, SHALL APPROVE ONE WEEKEND ANNUALLY FOR THE SPECIAL BEER  
19 FESTIVAL; AND

20 (2) SHALL APPROVE A LOCATION IN BALTIMORE COUNTY FOR THIS  
21 FESTIVAL WHICH DOES NOT HOLD AN ALCOHOLIC BEVERAGES LICENSE.

22 (H) THE BALTIMORE COUNTY BOARD OF LICENSE COMMISSIONERS SHALL  
23 ADOPT REGULATIONS FOR IMPLEMENTING THIS SECTION.

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