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By: **Delegates Walkup, Smigiel, and Sossi**  
Introduced and read first time: February 5, 2003  
Assigned to: Economic Matters

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Committee Report: Favorable with amendments  
House action: Adopted  
Read second time: March 18, 2003

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CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Kent County - Special Maryland Wine License Privilege**

3 FOR the purpose of authorizing in Kent County the Board of License Commissioners  
4 to issue a special Maryland Wine License Privilege to certain applicants;  
5 specifying qualifications for the Privilege; authorizing a holder of the Privilege  
6 to sell certain wine under certain circumstances; specifying an annual fee for the  
7 Privilege; providing that the Privilege is not a separate class of license; and  
8 generally relating to alcoholic beverages in Kent County.

9 BY repealing and reenacting, without amendments,  
10 Article 2B - Alcoholic Beverages  
11 Section 6-201(p)(1) and (2)(i), (ii), and (iii)  
12 Annotated Code of Maryland  
13 (2001 Replacement Volume and 2002 Supplement)

14 BY adding to  
15 Article 2B - Alcoholic Beverages  
16 Section 6-201(p)(4)  
17 Annotated Code of Maryland  
18 (2001 Replacement Volume and 2002 Supplement)

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

**Article 2B - Alcoholic Beverages**

1 6-201.

- 2 6-201.
- 3 (p) (1) (i) This subsection applies only in Kent County.
- 4 (ii) In this subsection, "Board" means the Board of License  
5 Commissioners.
- 6 (2) (i) The Board may issue a Class B beer, wine and liquor license for  
7 use in a restaurant.
- 8 (ii) To qualify for licensure under this subsection, the restaurant  
9 shall:
- 10 1. Be fully equipped with a proper and adequate dining  
11 room;
- 12 2. Have sufficient facilities for preparing and serving meals  
13 to the public; and
- 14 3. Be approved by the Board.
- 15 (iii) When operating under this license, a holder's average daily  
16 receipts from the sale of food shall comprise at least 60 percent of the average daily  
17 receipts of the business.
- 18 (4) (I) THE BOARD MAY ISSUE A SPECIAL MARYLAND WINE LICENSE  
19 PRIVILEGE.
- 20 (II) TO QUALIFY FOR A SPECIAL MARYLAND WINE LICENSE  
21 PRIVILEGE, AN APPLICANT SHALL BE A HOLDER OF A CLASS B (ON-SALE) BEER AND  
22 WINE LICENSE OR BEER, WINE AND LIQUOR LICENSE FOR USE ON A PREMISES THAT  
23 QUALIFIES AS A RESTAURANT UNDER PARAGRAPH (2)(II) OF THIS SUBSECTION.
- 24 (III) A SPECIAL MARYLAND WINE LICENSE PRIVILEGE AUTHORIZES  
25 THE HOLDER TO SELL WINE ~~FROM A CLASS 4 WINERY~~ BY THE BOTTLE FOR OFF-SALE  
26 WITHOUT THE COST OF THE WINE COUNTING AS A PART OF THE AVERAGE DAILY  
27 RECEIPTS OF THE BUSINESS REQUIRED TO MEET THE MINIMUM 60 PERCENT FOOD  
28 SALES REQUIREMENT UNDER PARAGRAPH (2)(III) OF THIS SUBSECTION.
- 29 (IV) THE ANNUAL FEE FOR THE SPECIAL MARYLAND WINE LICENSE  
30 PRIVILEGE IS \$100.
- 31 (V) THE SPECIAL MARYLAND WINE LICENSE PRIVILEGE IS NOT A  
32 SEPARATE CLASS OF LICENSE BUT SHALL BE CONSIDERED PART OF THE EXISTING  
33 CLASS B (ON-SALE) BEER AND WINE LICENSE OR BEER, WINE AND LIQUOR LICENSE  
34 OF THE HOLDER OF THE SPECIAL MARYLAND WINE LICENSE PRIVILEGE.

35 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
36 June 1, 2003.

