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By: **St. Mary's County Delegation**

Introduced and read first time: January 19, 2005

Assigned to: Economic Matters

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A BILL ENTITLED

1 AN ACT concerning

2 **St. Mary's County - Alcoholic Beverages - Importation of Bulk Wine**

3 FOR the purpose of authorizing in St. Mary's County certain holders of certain winery  
4 licenses to import bulk wine from certain persons; establishing certain annual  
5 maximum amounts of wine that may be imported; and generally relating to  
6 wineries in St. Mary's County.

7 BY repealing and reenacting, with amendments,  
8 Article 2B - Alcoholic Beverages  
9 Section 2-205  
10 Annotated Code of Maryland  
11 (2001 Replacement Volume and 2004 Supplement)

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

14 **Article 2B - Alcoholic Beverages**

15 2-205.

16 (a) A Class 4 manufacturer's license:

17 (1) Is a limited winery license;

18 (2) Authorizes the holder to establish and operate in this State a plant  
19 for fermenting and bottling wine made from Maryland agriculture products at the  
20 location described in the license, unless the Secretary of Agriculture determines that  
21 there is insufficient supply available of Maryland agriculture products; and

22 (3) Permits the license holder to:

23 (i) Sell and deliver this wine to any licensee or permit holder in  
24 this State, or person outside of this State, authorized to acquire it;

25 (ii) Sell this wine made at the plant to persons participating in a  
26 guided tour of the facility. The purchase is limited to one quart of each brand per

1 person per year. Any person who has attained the Maryland legal drinking age may  
2 purchase the wine. The licensee may operate only in one location in the State;

3 (iii) Serve at no charge not more than 6 ounces of wines made at the  
4 licensed facility to a person who is participating in a guided tour of the facility,  
5 provided the person has attained the Maryland legal drinking age;

6 (iv) Sell by the glass wine produced by the licensee to persons  
7 participating in a guided tour of the facility or attending a scheduled promotional  
8 event or other organized activity at the licensed premises; and

9 (v) Store on its licensed premises, in a segregated area approved by  
10 the Comptroller, the product of other Class 4 limited wineries to be used at bona fide  
11 Maryland Winery Association promotional activities, provided records are maintained  
12 and reports filed as may be required by the Comptroller.

13 (b) In Frederick County the provisions regarding sales on Sundays of this  
14 section are governed by § 11-511 of this article.

15 (C) (1) IN ST. MARY'S COUNTY, A HOLDER OF A CLASS 4 MANUFACTURER'S  
16 LICENSE WHO HAS HELD THE LICENSE NOT EARLIER THAN JANUARY 1, 2000, MAY  
17 IMPORT BULK WINE FROM A HOLDER OF A CLASS 3 MANUFACTURER'S LICENSE, A  
18 CLASS 4 MANUFACTURER'S LICENSE, OR A NONRESIDENT DEALER'S PERMIT.

19 (2) THE AMOUNT OF IMPORTED BULK WINE IN EACH OF THE FIRST 5  
20 YEARS THAT A HOLDER IMPORTS BULK WINE MAY NOT EXCEED 12,000 GALLONS.

21 (3) FOR EACH YEAR THEREAFTER, THE AMOUNT OF IMPORTED BULK  
22 WINE MAY NOT EXCEED 25% OF THE TOTAL WINE PRODUCTION OF THE LICENSE  
23 HOLDER FOR THE PREVIOUS YEAR.

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
25 July 1, 2005.