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By: **Montgomery County Delegation**  
 Introduced and read first time: February 1, 2005  
 Assigned to: Economic Matters

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A BILL ENTITLED

1 AN ACT concerning

2 **Montgomery County - Beer and Wine Festival**  
 3 **MC 504-05**

4 FOR the purpose of authorizing Montgomery County to conduct a beer and wine  
 5 festival not more than a certain number of times each year under the  
 6 supervision of the Montgomery County Department of Liquor Control;  
 7 specifying that a festival organization select the weekends during which the  
 8 festival will be conducted; authorizing a festival organization to contract with  
 9 holders of certain alcoholic beverages licenses to sell and display beer or wine at  
 10 the festival; specifying certain conditions under which wine and beer may be  
 11 displayed and sold on or off the festival premises at certain times; requiring a  
 12 festival organization to choose the festival location and assure that the primary  
 13 focus of the festival is the promotion of Montgomery County; requiring that a  
 14 person hold a special festival license and contract with the festival organization  
 15 before selling, offering for sale, or displaying beer or wine at a festival;  
 16 authorizing the County Board of License Commissioners to establish a license  
 17 fee; allowing certain persons to hold a special festival license in addition to  
 18 another license; providing for certain penalties; requiring the Montgomery  
 19 County Board of License Commissioners to adopt certain regulations; defining  
 20 certain terms; and generally relating to a beer and wine festival in Montgomery  
 21 County.

22 BY adding to  
 23 Article 2B - Alcoholic Beverages  
 24 Section 8-310.1  
 25 Annotated Code of Maryland  
 26 (2001 Replacement Volume and 2004 Supplement)

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

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**Article 2B - Alcoholic Beverages**

2 8-310.1.

3 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS  
4 INDICATED.

5 (2) "BOARD" MEANS THE MONTGOMERY COUNTY BOARD OF LICENSE  
6 COMMISSIONERS.

7 (3) "FESTIVAL" MEANS THE MONTGOMERY COUNTY BEER AND WINE  
8 FESTIVAL.

9 (4) "FESTIVAL ORGANIZATION" MEANS A NONPROFIT ORGANIZATION  
10 THAT IS SELECTED BY MONTGOMERY COUNTY TO ORGANIZE THE FESTIVAL AND  
11 THAT HAS EXTENSIVE EXPERIENCE IN ORGANIZING AND MANAGING LARGE-SCALE  
12 PUBLIC EVENTS.

13 (B) THIS SECTION APPLIES ONLY IN MONTGOMERY COUNTY.

14 (C) UNDER THE SUPERVISION OF THE MONTGOMERY COUNTY DEPARTMENT  
15 OF LIQUOR CONTROL, THE COUNTY EACH YEAR MAY CONDUCT THE MONTGOMERY  
16 COUNTY BEER AND WINE FESTIVAL ON NOT MORE THAN 4 WEEKENDS THAT A  
17 FESTIVAL ORGANIZATION SELECTS.

18 (D) A FESTIVAL ORGANIZATION MAY CONTRACT WITH HOLDERS OF A  
19 MONTGOMERY COUNTY RETAIL ALCOHOLIC BEVERAGE LICENSE, A STATE CLASS 5  
20 MANUFACTURER'S LICENSE, A STATE CLASS 6 PUB-BREWERY LICENSE, A STATE  
21 CLASS 7 MICRO-BREWERY (ON- AND OFF-SALE) LICENSE, A STATE CLASS 3 WINERY  
22 LICENSE, OR A STATE CLASS 4 LIMITED WINERY LICENSE TO SELL AND DISPLAY  
23 BEER OR WINE AT THE FESTIVAL.

24 (E) (1) A FESTIVAL ORGANIZATION, THROUGH CONTRACTORS WHO HOLD A  
25 SPECIAL FESTIVAL LICENSE ISSUED UNDER SUBSECTION (G) OF THIS SECTION, MAY  
26 DISPLAY AND SELL:

27 (I) WINE THAT IS PRICE FILED IN ACCORDANCE WITH  
28 REGULATIONS ADOPTED BY THE STATE COMPTROLLER AND DISTRIBUTED IN THE  
29 STATE; AND

30 (II) BEER THAT IS BREWED BY A BREWER WHOSE PRODUCT IS  
31 DISTRIBUTED IN THE STATE.

32 (2) BEER AND WINE MAY BE DISPLAYED AND SOLD AT RETAIL FOR  
33 CONSUMPTION ON OR OFF THE PREMISES ON THE DAYS AND FOR THE HOURS  
34 DESIGNATED FOR THE FESTIVAL.

35 (F) A FESTIVAL ORGANIZATION:

1 (1) SHALL CHOOSE FOR THE FESTIVAL A LOCATION THAT IS A LICENSED  
2 OR AN UNLICENSED PREMISES IN THE COUNTY; AND

3 (2) SHALL ASSURE THAT THE PRIMARY FOCUS OF THE FESTIVAL IS THE  
4 PROMOTION OF MONTGOMERY COUNTY.

5 (G) (1) BEFORE A PERSON MAY SELL, OFFER FOR SALE, OR DISPLAY BEER  
6 OR WINE AT A FESTIVAL, THE PERSON MUST CONTRACT WITH THE FESTIVAL  
7 ORGANIZATION AND OBTAIN A SPECIAL FESTIVAL LICENSE FROM THE BOARD.

8 (2) THE BOARD MAY ESTABLISH A LICENSE FEE.

9 (3) NOTWITHSTANDING ANY OTHER LAW, A PERSON MAY HOLD A  
10 SPECIAL FESTIVAL LICENSE IN ADDITION TO ANOTHER LICENSE ISSUED UNDER  
11 THIS ARTICLE.

12 (4) THE BOARD MAY DENY A SPECIAL FESTIVAL LICENSE TO ANY  
13 APPLICANT, SUSPEND OR REVOKE A SPECIAL FESTIVAL LICENSE, OR IMPOSE A FINE  
14 NOT EXCEEDING \$20,000 IF THE APPLICANT OR LICENSE HOLDER VIOLATES A  
15 PROVISION OF THIS ARTICLE OR THE REGULATIONS OF THE BOARD.

16 (H) THE BOARD SHALL ADOPT REGULATIONS FOR IMPLEMENTING THIS  
17 SECTION.

18 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
19 June 1, 2005.