
By: **Senator Hafer**

Introduced and read first time: February 23, 2005

Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Garrett County - Wine Festival License - Sunday Sales**

3 FOR the purpose of authorizing a wine festival license issued for use in certain
4 election districts in Garrett County to allow Sunday sales to begin at a certain
5 time; exempting certain wine festival sales from a certain meal requirement;
6 and generally relating to wine festival licenses in Garrett County.

7 BY repealing and reenacting, with amendments,
8 Article 2B - Alcoholic Beverages
9 Section 8-308.1
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 8-308.1.

16 (a) In this section, "Board" means the Garrett County Board of License
17 Commissioners.

18 (b) This section applies only in Garrett County.

19 (c) The Board may issue annually one wine festival license.

20 (d) Notwithstanding any other provision of this article, an applicant for a wine
21 festival license shall be a holder, within the county, of an existing retail alcoholic
22 beverages license, State Class 3 winery license, or State Class 4 limited winery
23 license.

24 (e) A wine festival licensee shall:

25 (1) Only display and sell wine that is:

- 1 (i) Manufactured and processed in any state;
- 2 (ii) Price filed in accordance with regulations adopted by the
- 3 Comptroller; and
- 4 (iii) Distributed in the State at the time the application is filed; and

5 (2) Display and sell wine at retail for consumption on or off the licensed

6 premises on the days and for the hours designated for the wine festival.

7 (f) The Board shall:

- 8 (1) Establish the license fee;
- 9 (2) Approve one or two days, excluding Sunday, annually for the wine
- 10 festival provided that the days selected do not occur on the same weekend as the
- 11 Maryland Wine Festival; and
- 12 (3) Approve a location in the county that is not licensed under this article
- 13 for the wine festival.

14 (g) (1) Products to be displayed and sold at the wine festival shall be:

15 (i) Invoiced to the wine festival license holder by a licensed State

16 wholesaler, winery, or limited winery; and

17 (ii) Delivered to the wine festival from the licensed premises of the

18 wholesaler, winery, or limited winery.

19 (2) Whenever a wine festival license is issued under this section, holders

20 of wholesale, winery, or limited winery licenses may enter into an agreement with the

21 holder of a wine festival license to deliver beer and wine 2 days prior to the effective

22 date of the wine festival license and to accept returns 2 days after the expiration date

23 of the wine festival license.

24 (H) NOTWITHSTANDING § 11-512(C) OF THIS ARTICLE, A WINE FESTIVAL

25 LICENSE ISSUED FOR USE IN ELECTION DISTRICT 11 OR 15 AUTHORIZES SUNDAY

26 SALES:

27 (1) TO BEGIN AT 10 A.M.; AND

28 (2) TO BE MADE WITHOUT A CONSUMER PLACING AN ORDER FOR A

29 MEAL SIMULTANEOUSLY OR BEFORE PLACING AN ORDER FOR AN ALCOHOLIC

30 BEVERAGE.

31 [(h)] (I) The Board shall adopt regulations to implement this section.

32 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect

33 June 1, 2005.