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By: **Senator Hafer**

Introduced and read first time: February 23, 2005

Assigned to: Rules

Re-referred to: Education, Health, and Environmental Affairs, February 25, 2005

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Committee Report: Favorable

Senate action: Adopted

Read second time: March 19, 2005

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CHAPTER \_\_\_\_\_

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.

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

5 (e) A wine festival licensee shall:

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

7 (i) Manufactured and processed in any state;

8 (ii) Price filed in accordance with regulations adopted by the  
9 Comptroller; and

10 (iii) Distributed in the State at the time the application is filed; and

11 (2) Display and sell wine at retail for consumption on or off the licensed  
12 premises on the days and for the hours designated for the wine festival.

13 (f) The Board shall:

14 (1) Establish the license fee;

15 (2) Approve one or two days, excluding Sunday, annually for the wine  
16 festival provided that the days selected do not occur on the same weekend as the  
17 Maryland Wine Festival; and

18 (3) Approve a location in the county that is not licensed under this article  
19 for the wine festival.

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

21 (i) Invoiced to the wine festival license holder by a licensed State  
22 wholesaler, winery, or limited winery; and

23 (ii) Delivered to the wine festival from the licensed premises of the  
24 wholesaler, winery, or limited winery.

25 (2) Whenever a wine festival license is issued under this section, holders  
26 of wholesale, winery, or limited winery licenses may enter into an agreement with the  
27 holder of a wine festival license to deliver beer and wine 2 days prior to the effective  
28 date of the wine festival license and to accept returns 2 days after the expiration date  
29 of the wine festival license.

30 (H) NOTWITHSTANDING § 11-512(C) OF THIS ARTICLE, A WINE FESTIVAL  
31 LICENSE ISSUED FOR USE IN ELECTION DISTRICT 11 OR 15 AUTHORIZES SUNDAY  
32 SALES:

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

1 (2) TO BE MADE WITHOUT A CONSUMER PLACING AN ORDER FOR A  
2 MEAL SIMULTANEOUSLY OR BEFORE PLACING AN ORDER FOR AN ALCOHOLIC  
3 BEVERAGE.

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

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