

HOUSE BILL 614

A2

EMERGENCY BILL

71r0468

By: **Montgomery County Delegation**

Introduced and read first time: February 8, 2007

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Montgomery County – Alcoholic Beverages – Direct Sales by Holders of Class**
3 **6 Limited Wine Wholesaler’s Licenses**

4 **MC 703-07**

5 FOR the purpose of authorizing in Montgomery County a holder of a Class 6 limited
6 wine wholesaler’s license to sell or deliver wine directly to a restaurant, county
7 dispensary, or other retail dealer; authorizing a restaurant, county dispensary,
8 or other retail dealer to purchase wine directly from a holder of a Class 6
9 limited wine wholesaler’s license; making certain technical and stylistic
10 changes; making this Act an emergency measure; and generally relating to
11 alcoholic beverages in Montgomery County.

12 BY repealing and reenacting, with amendments,
13 Article 2B – Alcoholic Beverages
14 Section 15-204
15 Annotated Code of Maryland
16 (2005 Replacement Volume and 2006 Supplement)

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

19 **Article 2B – Alcoholic Beverages**

20 15-204.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (a) Except as otherwise provided in this section, the liquor control board in
2 each county shall have an absolute monopoly of the sale and distribution of the
3 particular alcoholic beverages which elsewhere in this subtitle it is empowered to sell.

4 (b) (1) Provided, that in Montgomery County no person, firm, or
5 corporation shall keep for sale any alcoholic beverage not purchased from the
6 Department of Liquor Control for Montgomery County, provided, however, that
7 nothing in this subsection shall apply to [holders of Class F licenses, to the holder of a
8 wholesaler's license or a beer wholesaler's license] **A HOLDER OF A CLASS F
9 LICENSE OR A HOLDER OF A CLASS 1 BEER, WINE AND LIQUOR, CLASS 2 WINE
10 AND LIQUOR, CLASS 3 BEER AND WINE, CLASS 4 BEER, OR CLASS 5 WINE
11 WHOLESALER'S LICENSE**, who [shall] **MAY** not sell or deliver any alcoholic beverage
12 in Montgomery County for resale except to a county liquor dispensary.

13 (2) **NOTWITHSTANDING PARAGRAPH (1) OF THIS SUBSECTION:**

14 (I) **A HOLDER OF A CLASS 6 LIMITED WINE WHOLESALER'S
15 LICENSE MAY SELL OR DELIVER WINE DIRECTLY TO A COUNTY LIQUOR
16 DISPENSARY, RESTAURANT, OR OTHER RETAIL DEALER IN MONTGOMERY
17 COUNTY; AND**

18 (II) **A COUNTY LIQUOR DISPENSARY, RESTAURANT, OR
19 OTHER RETAIL DEALER IN MONTGOMERY COUNTY MAY PURCHASE WINE
20 DIRECTLY FROM A HOLDER OF A CLASS 6 LIMITED WINE WHOLESALER'S
21 LICENSE.**

22 (c) This section does not apply to the sale and distribution of light wine in
23 Somerset County.

24 (d) In Wicomico County, the county dispensaries shall make wholesale sales
25 of all liquors at a markup of not more than 15 percent above the operating cost to the
26 dispensary to any licensee of a Class A, B, or C beer, wine and liquor license.

27 **SECTION 2. AND BE IT FURTHER ENACTED**, That this Act is an emergency
28 measure, is necessary for the immediate preservation of the public health or safety,
29 has been passed by a yea and nay vote supported by three-fifths of all the members
30 elected to each of the two Houses of the General Assembly, and shall take effect from
31 the date it is enacted.