

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 217  
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after “of” insert “authorizing a limited winery in Calvert County to be issued a winery special event permit for unlimited use for certain times during certain months at a certain farmers’ market in Calvert County; altering certain alcoholic beverage license fees in the county;”; in line 5, strike “Calvert County” and substitute “the county”; in line 18, after “Section” insert “3-401(a), 5-101(a), 5-201(a)(1) and (f), 6-101(a)(1), 6-201(a)(1), 6-401(a)(1),”; and in line 19, before “and” insert a comma.

On page 2, in line 1, after “Section” insert “2-101(u), 3-401(f), 5-101(f), 6-101(f), 6-201(f), 6-401(f),”.

AMENDMENT NO. 2

On page 2, after line 12, insert:

“2-101.

(u) (1) The Office of the Comptroller may issue a winery special event permit to a licensed Class 4 Maryland limited winery, provided that:

(i) [No] EXCEPT AS PROVIDED IN PARAGRAPH (5) OF THIS SUBSECTION, NO more than 12 winery special event permits are issued to the Class 4 Maryland limited winery in any given calendar year;

(ii) The permit does not exceed 3 consecutive days; and

(Over)

(iii) [No] EXCEPT AS PROVIDED IN PARAGRAPH (5) OF THIS SUBSECTION, NO more than three winery special event permits are issued in any calendar year to any given limited winery for use in the same political subdivision.

(2) The winery special event permit may only be issued for an event which:

(i) Has as its major purpose an activity other than the sale and promotion of alcoholic beverages and for which the participation of the winery is a subordinate activity;

(ii) Is approved by the Department of Agriculture and the Office of the Comptroller; and

(iii) Is held on a nonlicensed premises or a premises on which a person may obtain a temporary alcoholic beverages license.

(3) A winery special event permit shall authorize the holder to:

(i) Provide samples not to exceed 1 fluid ounce per brand to consumers;

(ii) Sell not more than four 750 ml bottles of wine to a consumer at any given event or festival for off-premises consumption; and

(iii) Sell by the glass wine produced by the licensee to persons participating in any event or festival and for on-premises consumption.

(4) The winery special event permit application shall be filed with the Office of the Comptroller not less than 15 days prior to any event.

**(5) A CLASS 4 MARYLAND LIMITED WINERY IN CALVERT COUNTY MAY BE ISSUED A WINERY SPECIAL EVENT PERMIT FOR UNLIMITED USE FOR ONE NIGHT EACH WEEK FROM JUNE THROUGH NOVEMBER AT THE NORTH BEACH FRIDAY NIGHT FARMERS' MARKET.**

3-401.

(a) (1) A Class D beer license shall be issued by the license issuing authority of the county in which the place of business is located. The holder of the license may keep for sale and sell beer at retail at the place described in the license. The beer may be consumed on the premises or elsewhere, but a license may not be issued for any drugstore.

(2) The annual fee for the license shall be paid to the local collecting agent before any license is issued, for distribution as provided.

(f) In Calvert County the annual license fee is [\$100] **\$1,000.**

5-101.

(a) (1) A Class A beer and light wine license shall be issued by the license issuing authority of the county in which the place of business is located. The holder of the license may keep for sale and sell beer and light wines at retail, in any quantity to any consumers, at the place described in the license. The holder shall deliver the beer and light wines in a sealed package or container, which package or container may not be opened nor its contents consumed on the premises where sold.

(2) The annual fee for the license shall be paid to the local collecting agent before any license is issued, for distribution as provided.

(f) In Calvert County the annual license fee is [\$150] **\$300.**

(Over)

5-201.

(a) (1) A Class B beer and light wine license shall be issued by the license issuing authority of the county in which the place of business is located. The holder may keep for sale and sell beer and light wines at retail at any hotel or restaurant, at the place described in the license, for consumption on the premises or elsewhere.

(f) In Calvert County the annual license fee is \$250.

6-101.

(a) (1) A Class A beer, wine and liquor license shall be issued by the license issuing authority of the county in which the place of business is located. The license authorizes the holder to keep for sale and to sell all alcoholic beverages at retail, in any quantity, at the place described in the license. The licensee shall deliver the alcoholic beverages in a sealed package or container and the package or container may not be opened nor its contents consumed on the premises where sold.

(f) In Calvert County the annual license fee is [~~\$500~~] **\$1,000.**

6-201.

(a) (1) A Class B beer, wine and liquor license shall be issued by the license issuing authority of the county in which the place of business is located, and the license authorizes its holder to keep for sale and sell all alcoholic beverages at retail at any hotel or restaurant at the place described, for consumption on the premises or elsewhere, or as provided in this section.

(f) (1) This subsection applies only in Calvert County.

(2) The annual fee for a Class B license is [~~\$1,000~~]:

(I) \$1,250, IF THE PLACE OF BUSINESS REMAINS OPEN UNTIL MIDNIGHT; OR

(II) \$2,250, IF THE PLACE OF BUSINESS REMAINS OPEN UNTIL 2 A.M.

(3) (i) There is a Class BR beer, wine and liquor license which authorizes licensees to sell beer, wine, and liquor in restaurants for on-sale consumption with meals only.

(ii) The annual license fee for each license is \$500.

(iii) Hours and days for sale are those for other Calvert County Class B licensees.

(4) (i) In the 27th Legislative District of Calvert County, there is a Class BLX license for luxury-type restaurants.

(ii) The Class BLX license shall be applied for in the same manner as are other classes of licenses.

(iii) The license fee is \$2,400.

(iv) A luxury-type restaurant shall be defined by the County Liquor Board.

(v) To qualify for a Class BLX license, a restaurant shall have:

1. A minimum capital investment of \$500,000 for the dining room facilities and kitchen equipment, not including the cost of land, buildings, or leases; and

(Over)

2. A seating capacity of at least 150 persons.

(vi) Notwithstanding any other provision of this article, an individual, corporation, limited liability company, partnership, limited partnership, joint venture, association, or other person or combination of persons may not have a direct or indirect interest in any combination in more than 3 Class B and Class BLX licenses.

(vii) An indirect interest is presumed to exist between any combination of individuals, corporations, limited liability companies, partnerships, limited partnerships, joint ventures, associations, or other persons if any of the following conditions exist between them:

1. A common parent company;
2. A franchise agreement;
3. A licensing agreement;
4. A concession agreement;
5. Dual membership in a chain of businesses commonly owned and operated;
6. A sharing of directors, stockholders, partners, or members, or a sharing of directors, stockholders, partners, or members of parents or subsidiaries;
7. Common direct or indirect sharing of profit from the sale of alcoholic beverages; or

8. A sharing of a common trade name, trademark, logo or theme, or mode of operation identifiable by the public.

6-401.

(a) (1) A Class D beer, wine and liquor license shall be issued by the license issuing authority of the county in which the place of business is located. It authorizes the holder to keep for sale and sell all alcoholic beverages at retail at the place described in it, for consumption on the premises or elsewhere. A license may not be issued for any drugstore.

(f) (1) This subsection applies only in Calvert County.

(2) This license may be issued in the entire county.

(3) The annual license fee is [\$1,000]:

(I) \$1,250, IF THE PLACE OF BUSINESS REMAINS OPEN UNTIL MIDNIGHT; OR

(II) \$2,250, IF THE PLACE OF BUSINESS REMAINS OPEN UNTIL 2 A.M.”.