

# HOUSE BILL 105

A2

9lr0771

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By: **Delegates Haddaway and Eckardt**

Introduced and read first time: January 22, 2009

Assigned to: Economic Matters

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Committee Report: Favorable

House action: Adopted

Read second time: March 11, 2009

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Talbot County – Alcoholic Beverages – Limited Wineries**

3 FOR the purpose of authorizing a holder of a Class 4 manufacturer’s (limited winery)  
4 license in Talbot County to produce wine and pomace brandy at each warehouse  
5 for which the holder has been issued an individual storage permit; prohibiting a  
6 holder from serving or selling wine and pomace brandy to the public at a  
7 warehouse; making a stylistic change; and generally relating to holders of Class  
8 4 manufacturer’s licenses in Talbot County.

9 BY repealing and reenacting, without amendments,  
10 Article 2B – Alcoholic Beverages  
11 Section 2–205(a)  
12 Annotated Code of Maryland  
13 (2005 Replacement Volume and 2008 Supplement)

14 BY repealing and reenacting, with amendments,  
15 Article 2B – Alcoholic Beverages  
16 Section 2–205(b)  
17 Annotated Code of Maryland  
18 (2005 Replacement Volume and 2008 Supplement)

19 BY adding to  
20 Article 2B – Alcoholic Beverages  
21 Section 2–205(d)  
22 Annotated Code of Maryland  
23 (2005 Replacement Volume and 2008 Supplement)

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**EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.**

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



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

3 **Article 2B – Alcoholic Beverages**

4 2–205.

5 (a) In this section, “pomace brandy” means brandy that is distilled from the  
6 pulpy residue of the wine press, including the skins, pips, and stalks of grapes.

7 (b) A Class 4 manufacturer’s license:

8 (1) Is a limited winery license;

9 (2) Authorizes the holder to establish and operate in this State a plant  
10 for fermenting and bottling wine and distilling and bottling pomace brandy made from  
11 Maryland agriculture products at the location described in the license, unless the  
12 Secretary of Agriculture determines that there is insufficient supply available of  
13 Maryland agriculture products;

14 (3) [Permits] **SUBJECT TO SUBSECTION (D) OF THIS SECTION,**  
15 **ALLOWS** the license holder to:

16 (i) Sell and deliver this wine and pomace brandy to any  
17 wholesale licensee or permit holder in this State, or person outside of this State,  
18 authorized to acquire it;

19 (ii) Sell this wine and pomace brandy made at the plant to  
20 persons participating in a guided tour of the facility. The purchase is limited to one  
21 quart of each brand per person per year. Any person who has attained the Maryland  
22 legal drinking age may purchase the wine. The licensee may operate only in one  
23 location in the State;

24 (iii) Serve at no charge not more than 6 ounces of wine and  
25 pomace brandy made at the licensed facility to a person who is participating in a  
26 guided tour of the facility, provided the person has attained the Maryland legal  
27 drinking age;

28 (iv) Sell by the glass wine and pomace brandy produced by the  
29 licensee to persons participating in a guided tour of the facility or attending a  
30 scheduled promotional event or other organized activity at the licensed premises; and

31 (v) Store on its licensed premises, in a segregated area approved  
32 by the Comptroller, the product of other Class 4 limited wineries to be used at bona  
33 fide Maryland Winery Association promotional activities, provided records are  
34 maintained and reports filed as may be required by the Comptroller; and

1 (4) Limits the license holder to distilling and bottling not more than  
2 200 gallons of pomace brandy each year.

3 (D) A HOLDER OF A CLASS 4 MANUFACTURER’S LICENSE IN TALBOT  
4 COUNTY:

5 (1) MAY PRODUCE WINE AND POMACE BRANDY AT EACH  
6 WAREHOUSE FOR WHICH THE HOLDER HAS BEEN ISSUED AN INDIVIDUAL  
7 STORAGE PERMIT; BUT

8 (2) MAY NOT SERVE OR SELL WINE AND POMACE BRANDY AT A  
9 WAREHOUSE TO THE PUBLIC.

10 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
11 June 1, 2009.

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.