

# HOUSE BILL 351

A2

9lr2019

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By: **Washington County Delegation**

Introduced and read first time: January 30, 2009

Assigned to: Economic Matters

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## A BILL ENTITLED

1 AN ACT concerning

2 **Washington County – Alcoholic Beverages – Winery License**

3 FOR the purpose of authorizing the Washington County Board of License  
4 Commissioners to issue a Class W winery license to certain holders of a Class 4  
5 manufacturer’s license; specifying the privileges conferred by the Class W  
6 winery license, including the ability to sell wine and other products for  
7 consumption on or off the premises and to maintain furnishings to enable  
8 patrons to consume wine and food; specifying that a Class W winery license is a  
9 7–day license exempt from certain quotas; providing a license fee; specifying the  
10 hours of sale for a Class W winery license; making a certain stylistic change;  
11 and generally relating to alcoholic beverages in Washington County.

12 BY adding to

13 Article 2B – Alcoholic Beverages

14 Section 4–301 to be under the new subtitle “Subtitle 3. Class W Winery  
15 Licenses”

16 Annotated Code of Maryland

17 (2005 Replacement Volume and 2008 Supplement)

18 BY repealing and reenacting, with amendments,

19 Article 2B – Alcoholic Beverages

20 Section 11–522

21 Annotated Code of Maryland

22 (2005 Replacement Volume and 2008 Supplement)

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

25 **Article 2B – Alcoholic Beverages**

26 **SUBTITLE 3. CLASS W WINERY LICENSES.**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **4-301.**

2 (A) **THIS SECTION APPLIES ONLY IN WASHINGTON COUNTY.**

3 (B) **THE WASHINGTON COUNTY BOARD OF LICENSE COMMISSIONERS**  
4 **MAY ISSUE A CLASS W WINERY LICENSE TO A LICENSEE WHO:**

5 (1) **HOLDS A CLASS 4 MANUFACTURER'S LICENSE; AND**

6 (2) **HAS BEEN A RESIDENT OF THE STATE FOR AT LEAST 2 YEARS**  
7 **IMMEDIATELY BEFORE THE FILING OF AN APPLICATION FOR THE CLASS W**  
8 **WINERY LICENSE.**

9 (C) **THE ANNUAL LICENSE FEE IS \$150.**

10 (D) **A CLASS W WINERY LICENSE AUTHORIZES THE HOLDER TO:**

11 (1) **PROVIDE SAMPLES OF WINE AND OTHER PRODUCTS**  
12 **PRODUCED BY THE LICENSEE AT NO CHARGE;**

13 (2) **SELL WINE AND OTHER PRODUCTS PRODUCED BY THE**  
14 **LICENSEE FOR CONSUMPTION ON OR OFF THE PREMISES;**

15 (3) **HOLD PUBLIC AND PRIVATE EVENTS ON THE PREMISES**  
16 **IDENTIFIED IN THE LICENSE;**

17 (4) **SELL AND SERVE FOOD INCIDENTAL TO THE SAMPLING OF**  
18 **WINE; AND**

19 (5) **MAINTAIN TABLES, CHAIRS, AND OTHER APPROPRIATE**  
20 **INDOOR AND OUTDOOR FURNISHINGS TO ENABLE PATRONS TO CONSUME WINE**  
21 **AND FOOD.**

22 (E) **A CLASS W WINERY LICENSE IS A 7-DAY LICENSE.**

23 (F) **A CLASS W WINERY LICENSE IS EXEMPT FROM ANY QUOTA**  
24 **ESTABLISHED AS TO THE NUMBER OF LICENSES IN THE ELECTION DISTRICT**  
25 **WHERE THE CLASS W WINERY LICENSE IS TO BE LOCATED.**

26 (G) **A HOLDER OF A CLASS W WINERY LICENSE MAY LOCATE THE**  
27 **OPERATION:**

1           **(1) ON THE PREMISES FOR WHICH THE CLASS 4**  
2 **MANUFACTURER'S LICENSE WAS ISSUED;**

3           **(2) AT THE SAME ADDRESS AS ANOTHER CLASS W WINERY**  
4 **LICENSE; OR**

5           **(3) AT ANOTHER LOCATION THAT THE BOARD OF LICENSE**  
6 **COMMISSIONERS APPROVES.**

7 11-522.

8           **(A) THIS SECTION APPLIES ONLY IN WASHINGTON COUNTY.**

9           **(B) Except as provided under § 11-403 of this article, [in Washington**  
10 **County] holders of the following classes of alcoholic beverages licenses may exercise**  
11 **their license privileges from 6 a.m. to 2 a.m. the following day:**

12                   (1) A Class A (off-sale) license; and

13                   (2) All classes of (on-sale) alcoholic beverages licenses.

14           **(C) FOR THE HOLDERS OF A CLASS W WINERY LICENSE, SALES ARE**  
15 **ALLOWED:**

16                   (1) **MONDAY THROUGH SATURDAY FROM 10 A.M. THROUGH 1:45**  
17 **A.M. THE FOLLOWING DAY; AND**

18                   (2) **SUNDAY FROM 10 A.M. THROUGH MIDNIGHT, EXCEPT IF**  
19 **CHRISTMAS EVE OR NEW YEAR'S EVE IS ON A SUNDAY, FROM 10 A.M. TO 2 A.M.**  
20 **THE FOLLOWING DAY.**

21           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
22 July 1, 2009.