

# HOUSE BILL 519

A2

9lr2655  
CF 9lr2909

---

By: **Delegate Kullen**

Introduced and read first time: February 5, 2009

Assigned to: Economic Matters

---

## A BILL ENTITLED

1 AN ACT concerning

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

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

14 BY adding to

15 Article 2B – Alcoholic Beverages

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

18 Annotated Code of Maryland

19 (2005 Replacement Volume and 2008 Supplement)

20 BY repealing and reenacting, with amendments,

21 Article 2B – Alcoholic Beverages

22 Section 11–505

23 Annotated Code of Maryland

24 (2005 Replacement Volume and 2008 Supplement)

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

27 **Article 2B – Alcoholic Beverages**

---

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

2   **4-301.**

3           (A)   **THIS SECTION APPLIES ONLY IN CALVERT COUNTY.**

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

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

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

10           (C)   **THE ANNUAL LICENSE FEE SHALL BE SET BY THE BOARD BUT MAY**  
11 **NOT EXCEED \$200.**

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

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

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

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

19                   (4)   **SELL AND SERVE FOOD INCIDENTAL TO THE SAMPLING OF**  
20 **WINE; AND**

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

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

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

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

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

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

7                   **(3) AT ANOTHER LOCATION THAT THE BOARD APPROVES.**

8 11-505.

9           **(A) [In] EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION IN**  
10 **Calvert County, licensees may sell alcoholic beverages authorized by their license**  
11 **between the hours of 6 a.m. and 2 a.m. of the next day, Monday through Sunday,**  
12 **inclusive.**

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

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

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

20           SECTION 2. AND BE IT FURTHER ENACTED, That a holder of Class 4  
21 license who holds a who holds a Class A light wine license issued by the Calvert  
22 County Board of License Commissioners may surrender the Class A license to the  
23 Board and, in exchange, be issued a Class W winery license created by this Act at no  
24 charge. The expiration date of a Class W winery license issued under this section shall  
25 be the same as the expiration date of the surrendered Class A light wine license.

26           SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
27 July 1, 2009.