

HOUSE BILL 591

A2

9lr2269
CF SB 407

By: **Delegates Kullen, O'Donnell, Proctor, and Vallario**

Introduced and read first time: February 6, 2009

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Calvert County – Winery Special Event Permits – Farmers' Markets**

3 FOR the purpose of authorizing a limited winery in Calvert County to be issued a
4 winery special event permit for unlimited use during the calendar year at all
5 farmers' markets in Calvert County; and generally relating to winery special
6 event permits used at farmers' markets in Calvert County.

7 BY repealing and reenacting, with amendments,
8 Article 2B – Alcoholic Beverages
9 Section 2–101(u)
10 Annotated Code of Maryland
11 (2005 Replacement Volume and 2008 Supplement)

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

14 **Article 2B – Alcoholic Beverages**

15 2–101.

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

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

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

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

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

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

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

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

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

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

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

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

22 (5) **A CLASS 4 MARYLAND LIMITED WINERY IN CALVERT COUNTY**
23 **MAY BE ISSUED A WINERY SPECIAL EVENT PERMIT FOR UNLIMITED USE DURING**
24 **THE CALENDAR YEAR AT ALL FARMERS' MARKETS IN CALVERT COUNTY,**
25 **INCLUDING THE CALVERT COUNTY FARMER'S MARKET AND THE NORTH**
26 **BEACH FRIDAY NIGHT FARMERS' MARKET.**

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