

# HOUSE BILL 591

A2

9lr2269  
CF SB 407

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

Introduced and read first time: February 6, 2009

Assigned to: Economic Matters

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 25, 2009

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

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~~ certain number of winery special  
5 event permits during the calendar year at all farmers' markets in Calvert  
6 County; and generally relating to winery special event permits used at farmers'  
7 markets in Calvert County.

8 BY repealing and reenacting, with amendments,  
9 Article 2B – Alcoholic Beverages  
10 Section 2–101(u)  
11 Annotated Code of Maryland  
12 (2005 Replacement Volume and 2008 Supplement)

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

15 **Article 2B – Alcoholic Beverages**

16 2–101.

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

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

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

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

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

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

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

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

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

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

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

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

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

26 (5) **A CLASS 4 MARYLAND LIMITED WINERY IN CALVERT COUNTY**  
 27 **MAY BE ISSUED ~~A WINERY SPECIAL EVENT PERMIT FOR UNLIMITED USE NOT~~**  
 28 **MORE THAN 12 WINERY SPECIAL EVENT PERMITS DURING THE CALENDAR YEAR**  
 29 **AT ALL FARMERS' MARKETS IN CALVERT COUNTY, INCLUDING THE CALVERT**  
 30 **COUNTY FARMER'S MARKET AND THE NORTH BEACH FRIDAY NIGHT**  
 31 **FARMERS' MARKET.**

32 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
 33 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.