

HOUSE BILL 962

A2

(9lr1445)

ENROLLED BILL

—*Economic Matters / Education, Health, and Environmental Affairs*—

Introduced by **Prince George’s County Delegation**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o’clock, _____ M.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 **Prince George’s County – Alcoholic Beverages – Wine Festival License**

3 **PG 322–09**

4 FOR the purpose of authorizing the Prince George’s County Board of License
5 Commissioners to issue a wine festival license to certain persons for the sale of
6 wine at the Prince George’s County Wine Festival *each year*; establishing
7 certain licensing requirements; requiring license holders to display and sell
8 certain wine; providing for a license fee; requiring the Board to set the date and
9 location for the Festival and to assure that the primary focus of the Festival is
10 the promotion of Maryland wine; establishing certain requirements concerning
11 the delivery and return of products displayed and sold at the Festival; requiring
12 the Board to adopt certain regulations; defining certain terms; and generally
13 relating to an alcoholic beverages license issued for the Prince George’s County
14 Wine Festival.

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.

Italics indicate opposite chamber / conference committee amendments.



1 BY adding to
 2 Article 2B – Alcoholic Beverages
 3 Section 8–310.2
 4 Annotated Code of Maryland
 5 (2005 Replacement Volume and 2008 Supplement)

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

8 **Article 2B – Alcoholic Beverages**

9 **8–310.2.**

10 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE
 11 MEANINGS INDICATED.

12 (2) “BOARD” MEANS THE PRINCE GEORGE’S COUNTY BOARD OF
 13 LICENSE COMMISSIONERS.

14 (3) “FESTIVAL” MEANS THE PRINCE GEORGE’S COUNTY WINE
 15 FESTIVAL.

16 (B) (1) ~~THIS~~ EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS
 17 SUBSECTION, THIS SECTION APPLIES ONLY IN PRINCE GEORGE’S COUNTY.

18 (2) THIS SECTION DOES NOT APPLY IN THE 24TH LEGISLATIVE
 19 DISTRICT.

20 (C) THE BOARD MAY ISSUE ~~A~~ ONE WINE FESTIVAL LICENSE EACH YEAR.

21 (D) NOTWITHSTANDING ANY OTHER PROVISION OF THIS ARTICLE, AN
 22 APPLICANT FOR A WINE FESTIVAL LICENSE SHALL BE A HOLDER OF A RETAIL
 23 ALCOHOLIC BEVERAGES LICENSE, A CLASS 3 WINERY LICENSE, OR A CLASS 4
 24 LIMITED WINERY LICENSE.

25 (E) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, A HOLDER
 26 OF A WINE FESTIVAL LICENSE MAY DISPLAY AND SELL WINE AT THE FESTIVAL
 27 FOR CONSUMPTION ON OR OFF THE PREMISES ON THE DAYS AND FOR THE
 28 HOURS DESIGNATED FOR THE FESTIVAL.

29 (2) THE WINE SHALL BE:

30 (I) MANUFACTURED AND PROCESSED IN ANY STATE;

1 (II) PRICE FILED IN ACCORDANCE WITH REGULATIONS
2 THAT THE COMPTROLLER ADOPTS; AND

3 (III) DISTRIBUTED IN THE STATE BY THE TIME THE
4 APPLICATION FOR THE WINE FESTIVAL LICENSE IS FILED.

5 (F) THIS SECTION DOES NOT PROHIBIT THE HOLDER OF A WINE
6 FESTIVAL LICENSE FROM HOLDING ANOTHER ALCOHOLIC BEVERAGES LICENSE
7 OF A DIFFERENT CLASS OR NATURE.

8 (G) (1) THE BOARD:

9 (I) MAY ESTABLISH THE LICENSE FEE;

10 (II) SHALL CHOOSE A LOCATION IN THE COUNTY FOR THIS
11 FESTIVAL WHICH IS NOT LICENSED UNDER THIS ARTICLE;

12 (III) SHALL ASSURE THAT THE PRIMARY FOCUS OF THE
13 FESTIVAL IS THE PROMOTION OF MARYLAND WINE; AND

14 (IV) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION,
15 ANNUALLY MAY SELECT ONE WEEKEND, FRIDAY THROUGH SUNDAY INCLUSIVE,
16 FOR THE FESTIVAL.

17 (2) THE WEEKEND CHOSEN FOR THE FESTIVAL MAY NOT:

18 (I) BE LONGER THAN 3 DAYS;

19 ~~(II)~~ (II) OCCUR WITHIN 14 DAYS BEFORE OR AFTER THE
20 MARYLAND WINE FESTIVAL IN CARROLL COUNTY; AND

21 ~~(III)~~ (III) CONFLICT WITH THE DATES CHOSEN FOR:

22 1. THE ANNE ARUNDEL COUNTY BEER AND WINE
23 FESTIVAL;

24 2. THE CALVERT COUNTY WINE FESTIVAL;

25 3. THE CHARLES COUNTY BEER AND WINE
26 FESTIVAL; OR

27 4. THE HOWARD COUNTY WINE FESTIVAL.

28 (H) (1) PRODUCTS DISPLAYED AND SOLD SHALL BE:

1 (I) INVOICED TO THE HOLDER OF THE WINE FESTIVAL
2 LICENSE BY A LICENSED STATE WHOLESALER, WINERY, OR LIMITED WINERY;
3 AND

4 (II) DELIVERED TO THE FESTIVAL FROM THE LICENSED
5 PREMISES OF THE WHOLESALER, WINERY, OR LIMITED WINERY.

6 (2) WHENEVER A WINE FESTIVAL LICENSE IS ISSUED UNDER THIS
7 SECTION, HOLDERS OF WHOLESALE, WINERY, OR LIMITED WINERY LICENSES
8 MAY ENTER INTO AN AGREEMENT WITH THE HOLDER OF A WINE FESTIVAL
9 LICENSE TO DELIVER WINE 2 DAYS BEFORE THE EFFECTIVE DATE, AND TO
10 ACCEPT RETURNS 2 DAYS AFTER THE EXPIRATION DATE OF THE WINE FESTIVAL
11 LICENSE.

12 (I) THE BOARD SHALL ADOPT REGULATIONS TO CARRY OUT THIS
13 SECTION.

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

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.