

HOUSE BILL 970

A1

9lr0698

By: **Prince George's County Delegation**

Introduced and read first time: February 13, 2009

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Prince George's County - Winery Special Event Permits - Farmers' Markets**

3 **PG 310-09**

4 FOR the purpose of authorizing a limited winery to be issued a certain number of
5 winery special event permits for use at certain farmers' markets in Prince
6 George's County; prohibiting a holder of a winery special event permit from
7 selling wine by the glass at a farmers' market; and generally relating to winery
8 special event permits used at farmers' markets in Prince George's County.

9 BY repealing and reenacting, with amendments,
10 Article 2B - Alcoholic Beverages
11 Section 2-101(u)
12 Annotated Code of Maryland
13 (2005 Replacement Volume and 2008 Supplement)

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

16 **Article 2B - Alcoholic Beverages**

17 2-101.

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

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

23 (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.



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

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

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

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

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

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

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

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

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

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

(5) (I) A CLASS 4 MARYLAND LIMITED WINERY MAY BE ISSUED NOT MORE THAN 24 WINERY SPECIAL EVENT PERMITS IN A CALENDAR YEAR FOR USE AT FARMERS' MARKETS IN PRINCE GEORGE'S COUNTY THAT ARE LISTED ON THE FARMERS' MARKET DIRECTORY OF THE MARYLAND DEPARTMENT OF AGRICULTURE.

(II) A HOLDER OF A WINERY SPECIAL EVENT PERMIT MAY NOT SELL WINE BY THE GLASS AT A FARMERS' MARKET.

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