

HOUSE BILL 970

A1

9lr0698

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

Introduced and read first time: February 13, 2009

Assigned to: Economic Matters

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 24, 2009

CHAPTER _____

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 in the county; requiring that
8 certain persons be certified by an approved alcohol awareness program and be
9 present at a farmers' market in the county during certain hours; and generally
10 relating to winery special event permits used at farmers' markets in Prince
11 George's County.

12 BY repealing and reenacting, with amendments,
13 Article 2B – Alcoholic Beverages
14 Section 2-101(u)
15 Annotated Code of Maryland
16 (2005 Replacement Volume and 2008 Supplement)

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

19 **Article 2B – Alcoholic Beverages**

20 2-101.

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.



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

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

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

(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) THIS PARAGRAPH APPLIES ONLY TO WINERY SPECIAL EVENT PERMITS ISSUED FOR USE AT FARMERS' MARKETS IN PRINCE GEORGE'S COUNTY.

(II) A CLASS 4 MARYLAND LIMITED WINERY MAY BE ISSUED NOT MORE THAN ~~24~~ 12 WINERY SPECIAL EVENT PERMITS IN A CALENDAR YEAR FOR USE AT FARMERS' MARKETS IN ~~PRINCE GEORGE'S COUNTY~~ THE COUNTY

1 THAT ARE LISTED ON THE FARMERS' MARKET DIRECTORY OF THE MARYLAND
2 DEPARTMENT OF AGRICULTURE.

3 ~~(H)~~ (III) A HOLDER OF A WINERY SPECIAL EVENT PERMIT
4 MAY NOT SELL WINE BY THE GLASS AT A FARMERS' MARKET.

5 (IV) AT A FARMERS' MARKET, THE FARMERS' MARKET
6 ADMINISTRATOR OR THE ADMINISTRATOR'S DESIGNEE AND EACH HOLDER OF A
7 WINERY SPECIAL EVENT PERMIT OR THE HOLDER'S DESIGNEE:

8 1. SHALL BE CERTIFIED BY AN APPROVED ALCOHOL
9 AWARENESS PROGRAM; AND

10 2. SHALL BE PRESENT DURING THE HOURS WHEN
11 ALCOHOL MAY BE SOLD.

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

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.