

HOUSE BILL 1351

A2

9lr3215

By: **Delegates Sossi, Smigiel, and Walkup**
Introduced and read first time: February 19, 2009
Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Queen Anne's County - Alcoholic Beverages - Winery License**

3 FOR the purpose of authorizing the Queen Anne's County Board of License
4 Commissioners to issue a Class W winery license to certain holders of a Class 4
5 manufacturer's license; specifying the privileges conferred by the Class W
6 winery license, including the ability to sell wine and other products for
7 consumption on or off the premises and to maintain furnishings to enable
8 patrons to consume wine and food; specifying that a Class W winery license is a
9 7-day license exempt from certain quotas; providing a license fee; specifying the
10 hours of sale for a Class W winery license; making a certain stylistic change;
11 providing that a holder of a certain license may exchange that license for a
12 Class W winery license under certain circumstances; and generally relating to
13 alcoholic beverages in Queen Anne's County.

14 BY adding to

15 Article 2B – Alcoholic Beverages
16 Section 4–301 to be under the new subtitle “Subtitle 3. Class W Winery
17 Licenses”
18 Annotated Code of Maryland
19 (2005 Replacement Volume and 2008 Supplement)

20 BY repealing and reenacting, with amendments,

21 Article 2B – Alcoholic Beverages
22 Section 11–518
23 Annotated Code of Maryland
24 (2005 Replacement Volume and 2008 Supplement)

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

27 **Article 2B – Alcoholic Beverages**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **SUBTITLE 3. CLASS W WINERY LICENSES.**

2 **4-301.**

3 (A) **THIS SECTION APPLIES ONLY IN QUEEN ANNE'S COUNTY.**

4 (B) **THE QUEEN ANNE'S COUNTY BOARD OF LICENSE COMMISSIONERS**
5 **MAY ISSUE A CLASS W WINERY LICENSE TO A LICENSEE WHO:**

6 (1) **HOLDS A CLASS 4 MANUFACTURER'S LICENSE; AND**

7 (2) **HAS BEEN A RESIDENT OF THE STATE FOR AT LEAST 2 YEARS**
8 **IMMEDIATELY BEFORE THE FILING OF AN APPLICATION FOR THE CLASS W**
9 **WINERY LICENSE.**

10 (C) **THE ANNUAL LICENSE FEE SHALL BE SET BY THE BOARD BUT MAY**
11 **NOT EXCEED \$200.**

12 (D) **A CLASS W WINERY LICENSE AUTHORIZES THE HOLDER TO:**

13 (1) **PROVIDE SAMPLES OF WINE AND OTHER PRODUCTS**
14 **PRODUCED BY THE LICENSEE AT NO CHARGE;**

15 (2) **SELL WINE AND OTHER PRODUCTS PRODUCED BY THE**
16 **LICENSEE FOR CONSUMPTION ON OR OFF THE PREMISES;**

17 (3) **HOLD PUBLIC AND PRIVATE EVENTS ON THE PREMISES**
18 **IDENTIFIED IN THE LICENSE;**

19 (4) **SELL AND SERVE FOOD INCIDENTAL TO THE SAMPLING OF**
20 **WINE; AND**

21 (5) **MAINTAIN TABLES, CHAIRS, AND OTHER APPROPRIATE**
22 **INDOOR AND OUTDOOR FURNISHINGS TO ENABLE PATRONS TO CONSUME WINE**
23 **AND FOOD.**

24 (E) **A CLASS W WINERY LICENSE IS A 7-DAY LICENSE.**

25 (F) **A CLASS W WINERY LICENSE IS EXEMPT FROM ANY QUOTA**
26 **ESTABLISHED AS TO THE NUMBER OF LICENSES IN THE ELECTION DISTRICT**
27 **WHERE THE CLASS W WINERY LICENSE IS TO BE LOCATED.**

1 **(G) A HOLDER OF A CLASS W WINERY LICENSE MAY LOCATE THE**
2 **OPERATION:**

3 **(1) ON THE PREMISES FOR WHICH THE CLASS 4**
4 **MANUFACTURER'S LICENSE WAS ISSUED;**

5 **(2) AT THE SAME ADDRESS AS ANOTHER CLASS W WINERY**
6 **LICENSE; OR**

7 **(3) AT ANOTHER LOCATION THAT THE BOARD APPROVES.**

8 11-518.

9 **(A) [Holders] EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS**
10 **SECTION, HOLDERS** of all classes of retail alcoholic beverages licenses in Queen
11 Anne's County may exercise their license privileges on Sunday from 8 a.m. until the
12 closing hour permitted by that class of license during any other day of the week.

13 **(B) FOR THE HOLDERS OF A CLASS W WINERY LICENSE IN QUEEN**
14 **ANNE'S COUNTY, SALES ARE ALLOWED:**

15 **(1) MONDAY THROUGH SATURDAY FROM 10 A.M. THROUGH 1:45**
16 **A.M. THE FOLLOWING DAY; AND**

17 **(2) SUNDAY FROM 10 A.M. THROUGH MIDNIGHT, EXCEPT IF**
18 **CHRISTMAS EVE OR NEW YEAR'S EVE IS ON A SUNDAY, FROM 10 A.M. TO 2 A.M.**
19 **THE FOLLOWING DAY.**

20 SECTION 2. AND BE IT FURTHER ENACTED, That a holder of a Class 4
21 license who holds a Class A light wine license issued by the Queen Anne's County
22 Board of License Commissioners may surrender the Class A license to the Board and,
23 in exchange, be issued a Class W winery license created by this Act at no charge. The
24 expiration date of a Class W winery license issued under this section shall be the same
25 as the expiration date of the surrendered Class A light wine license.

26 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
27 July 1, 2009.