

SENATE BILL 880

A2

9lr2878

By: **Senator Dyson**

Introduced and read first time: February 6, 2009

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **St. Mary's County - Alcoholic Beverages - Winery License**

3 FOR the purpose of authorizing the St. Mary'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 St. Mary'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 11-519

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 ST. MARY'S COUNTY.**

4 (B) **THE ST. MARY'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 11-519.

9 **(A) In St. Mary's County, EXCEPT AS PROVIDED IN SUBSECTION (B) OF**
10 **THIS SECTION, BUT** notwithstanding any other provision of this article, the hours
11 during which a liquor licensee may sell those alcoholic beverages for which he is
12 licensed shall be from 6 o'clock a.m. to 2 o'clock a.m. the following morning, including
13 Sunday. No consumer may remain on the premises of the establishment after the
14 termination of the hours of sale, except that customers may remain on the premises
15 for one-half hour after the closing time on Sunday morning.

16 **(B) IN ST. MARY'S COUNTY, FOR THE HOLDERS OF A CLASS W WINERY**
17 **LICENSE, SALES ARE ALLOWED:**

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

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

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

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