

SENATE BILL 884

A2

9lr2931
CF HB 721

By: **Senators Brinkley and Mooney**

Introduced and read first time: February 6, 2009

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable

Senate action: Adopted

Read second time: March 24, 2009

CHAPTER _____

1 AN ACT concerning

2 **Frederick County – Alcoholic Beverages – Wine Festival License**

3 FOR the purpose of establishing a special wine festival (WF) license in Frederick
4 County; requiring that an applicant for a special WF license must be a holder of
5 a certain other license; specifying that a holder of a special WF license may
6 display and sell wine in a certain manner; requiring the Frederick County
7 Board of License Commissioners to assure that the primary focus of the festival
8 is the promotion of Maryland wine; requiring a holder of a special WF license to
9 display and sell certain wine; providing for a license fee; providing that this Act
10 does not prohibit the holder of a special WF license from holding another
11 alcoholic beverages license; authorizing the Board to choose certain weekends
12 for festivals; requiring the Board to choose certain locations for the festivals;
13 requiring the Board to adopt certain regulations; defining certain terms; and
14 generally relating to wine in Frederick County.

15 BY renumbering

16 Article 2B – Alcoholic Beverages

17 Section 8–308.1

18 to be Section 8–308.2

19 Annotated Code of Maryland

20 (2005 Replacement Volume and 2008 Supplement)

21 BY adding to

22 Article 2B – Alcoholic Beverages

23 Section 8–308.1

24 Annotated Code of Maryland

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.



1 (2005 Replacement Volume and 2008 Supplement)

2 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
3 MARYLAND, That Section(s) 8-308.1 of Article 2B – Alcoholic Beverages of the
4 Annotated Code of Maryland be renumbered to be Section(s) 8-308.2.

5 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland
6 read as follows:

7 **Article 2B – Alcoholic Beverages**

8 **8-308.1.**

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

11 (2) “BOARD” MEANS THE FREDERICK COUNTY BOARD OF
12 LICENSE COMMISSIONERS.

13 (3) “FESTIVAL” MEANS THE FREDERICK COUNTY WINE
14 FESTIVAL.

15 (B) THIS SECTION APPLIES ONLY IN FREDERICK COUNTY.

16 (C) THE BOARD MAY ISSUE A SPECIAL WINE FESTIVAL (WF) LICENSE.

17 (D) NOTWITHSTANDING ANY OTHER PROVISION OF THIS ARTICLE, TO
18 BE ELIGIBLE FOR A SPECIAL WF LICENSE, AN APPLICANT MUST BE A HOLDER
19 OF AN EXISTING STATE RETAIL ALCOHOLIC BEVERAGES LICENSE, A STATE
20 CLASS 3 WINERY LICENSE, OR A STATE CLASS 4 LIMITED WINERY LICENSE.

21 (E) A SPECIAL WF LICENSE ENTITLES THE HOLDER TO DISPLAY AND
22 SELL AT RETAIL WINE FOR CONSUMPTION ON OR OFF THE PREMISES ON THE
23 DAYS AND FOR THE HOURS DESIGNATED FOR A FESTIVAL IN THE COUNTY.

24 (F) (1) THE BOARD SHALL ASSURE THAT THE PRIMARY FOCUS OF
25 THE FESTIVAL IS THE PROMOTION OF MARYLAND WINE.

26 (2) A HOLDER OF A SPECIAL WF LICENSE SHALL DISPLAY AND
27 SELL WINE THAT IS DISTRIBUTED IN THE STATE.

28 (G) THE SPECIAL WF LICENSE FEE IS \$20.

1 **(H) THIS SECTION DOES NOT PROHIBIT THE HOLDER OF A SPECIAL WF**
2 **LICENSE FROM HOLDING ANOTHER ALCOHOLIC BEVERAGES LICENSE OF A**
3 **DIFFERENT CLASS OR NATURE.**

4 **(I) THE BOARD MAY CHOOSE 2 WEEKENDS ANNUALLY FOR FESTIVALS.**

5 **(J) THE BOARD SHALL CHOOSE LOCATIONS IN THE COUNTY FOR THE**
6 **FESTIVALS THAT ARE NOT LICENSED UNDER THIS ARTICLE.**

7 **(K) THE BOARD SHALL ADOPT REGULATIONS TO CARRY OUT THIS**
8 **SECTION.**

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

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.