

CHAPTER 156

(House Bill 833)

AN ACT concerning

Montgomery County – Winery Special Event Permits – Montgomery County Agricultural Fair

MC 928-09

FOR the purpose of authorizing the Office of the Comptroller to issue a winery special event permit to certain limited wineries for use during the entire length of the Montgomery County Agricultural Fair; and generally relating to the use of winery special event permits in Montgomery County.

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

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

Article 2B – Alcoholic Beverages

2-101.

(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 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 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) IN ADDITION TO THE WINERY SPECIAL EVENT PERMIT UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE OFFICE OF THE COMPTROLLER MAY ISSUE A WINERY SPECIAL EVENT PERMIT TO A LICENSED CLASS 4 MARYLAND

LIMITED WINERY FOR USE DURING THE ENTIRE LENGTH OF THE MONTGOMERY COUNTY AGRICULTURAL FAIR.

[(2)] (3) 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)] (4) 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)] (5) The winery special event permit application shall be filed with the Office of the Comptroller not less than 15 days prior to any event.

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

Approved by the Governor, April 14, 2009.