

Chapter 440

(House Bill 823)

AN ACT concerning

Montgomery County – Winery Special Event Permits – Farmers' Markets

MC 9–10

FOR the purpose of authorizing the issuance of a certain number of additional winery special event permits to certain wineries for use in certain farmers' markets in Montgomery County; prohibiting a holder of a permit from selling wine by the glass; requiring that a certain individual who is certified by an alcohol awareness program be present during the hours when wine may be sold; and generally relating to farmers' markets in Montgomery County.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 2–101(u)(1)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

BY adding to
Article 2B – Alcoholic Beverages
Section 2–101(u)(7)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 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) Except as provided in [paragraph (6)] **PARAGRAPHS (6) AND (7)** 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) Except as provided in [paragraph (6)] **PARAGRAPHS (6) AND (7)** 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.

(7) (I) IN ADDITION TO THE WINERY SPECIAL EVENT PERMITS THAT MAY BE ISSUED UNDER PARAGRAPH (1)(I) AND (III) OF THIS SUBSECTION, A CLASS 4 MARYLAND LIMITED WINERY MAY BE ISSUED NOT MORE THAN 12 WINERY SPECIAL EVENT PERMITS FOR USE AT FARMERS' MARKETS IN MONTGOMERY COUNTY THAT ARE LISTED ON THE FARMERS' MARKET DIRECTORY OF THE MARYLAND DEPARTMENT OF AGRICULTURE.

(II) IF A WINERY SPECIAL EVENT PERMIT IS ISSUED UNDER THIS ~~SECTION IS ISSUED~~ PARAGRAPH:

1. THE HOLDER OF THE PERMIT MAY NOT SELL WINE BY THE GLASS; AND

2. THE FARMERS' MARKET ADMINISTRATOR OR THE ADMINISTRATOR'S DESIGNEE AND THE HOLDER OF THE PERMIT OR THE HOLDER'S DESIGNEE SHALL BE:

A. CERTIFIED BY AN ALCOHOL AWARENESS PROGRAM APPROVED BY THE COMPTROLLER; AND

B. PRESENT DURING THE HOURS WHEN WINE MAY BE SOLD.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2010.

Approved by the Governor, May 4, 2010.