

HOUSE BILL 326

A2

11r0901

By: ~~Delegates Lafferty, Aumann, Cardin, Frank, Stein, and Weir~~ Baltimore County Delegation

Introduced and read first time: February 2, 2011

Assigned to: Economic Matters

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 18, 2011

CHAPTER _____

1 AN ACT concerning

2 **Baltimore County – Winery Special Event Permits – Farmers’ Markets**

3 FOR the purpose of authorizing the issuance of a certain number of additional winery
4 special event permits to certain wineries for use in certain farmers’ markets in
5 Baltimore County; prohibiting a winery from using more than a certain number
6 of winery special event permits at the same farmers’ market in the county in a
7 year; prohibiting a holder of a permit from selling wine by the glass; requiring
8 that a certain individual who is certified by an alcohol awareness program be
9 present during the hours when wine may be sold; and generally relating to
10 farmers’ markets in Baltimore County.

11 BY repealing and reenacting, with amendments,
12 Article 2B – Alcoholic Beverages
13 Section 2–101(u)(1)
14 Annotated Code of Maryland
15 (2005 Replacement Volume and 2010 Supplement)

16 BY adding to
17 Article 2B – Alcoholic Beverages
18 Section 2–101(u)(9)
19 Annotated Code of Maryland
20 (2005 Replacement Volume and 2010 Supplement)

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

3 **Article 2B – Alcoholic Beverages**

4 2–101.

5 (u) (1) The Office of the Comptroller may issue a winery special event
6 permit to a licensed Class 4 Maryland limited winery, provided that:

7 (i) Except as provided in paragraphs (6), (7), [and] (8), AND (9)
8 of this subsection, no more than 12 winery special event permits are issued to the
9 Class 4 Maryland limited winery in any given calendar year;

10 (ii) The permit does not exceed 3 consecutive days; and

11 (iii) Except as provided in paragraphs (6), (7), [and] (8), AND (9)
12 of this subsection, no more than three winery special event permits are issued in any
13 calendar year to any given limited winery for use in the same political subdivision.

14 **(9) (I) 1. IN ADDITION TO THE WINERY SPECIAL EVENT**
15 **PERMITS THAT MAY BE ISSUED UNDER PARAGRAPH (1)(I) AND (III) OF THIS**
16 **SUBSECTION AND SUBJECT TO SUBSUBPARAGRAPH 2 OF THIS SUBPARAGRAPH,**
17 **A CLASS 4 MARYLAND LIMITED WINERY MAY BE ISSUED NOT MORE THAN 12**
18 **WINERY SPECIAL EVENT PERMITS FOR USE AT FARMERS’ MARKETS IN**
19 **BALTIMORE COUNTY THAT ARE LISTED ON THE FARMERS’ MARKET**
20 **DIRECTORY OF THE MARYLAND DEPARTMENT OF AGRICULTURE.**

21 **2. A CLASS 4 MARYLAND LIMITED WINERY MAY USE**
22 **NOT MORE THAN SIX WINERY SPECIAL EVENT PERMITS AT THE SAME FARMERS’**
23 **MARKET IN BALTIMORE COUNTY IN A YEAR.**

24 **(II) IF A WINERY SPECIAL EVENT PERMIT IS ISSUED UNDER**
25 **THIS PARAGRAPH:**

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

28 **2. THE FARMERS’ MARKET ADMINISTRATOR OR THE**
29 **ADMINISTRATOR’S DESIGNEE AND THE HOLDER OF THE PERMIT OR THE**
30 **HOLDER’S DESIGNEE SHALL BE:**

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

1 **B. PRESENT DURING THE HOURS WHEN WINE MAY**
2 **BE SOLD.**

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
4 June 1, 2011.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.