

SENATE BILL 1075

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2lr3407
CF HB 1436

By: **Senator Mathias**

Introduced and read first time: March 2, 2012

Assigned to: Rules

Re-referred to: Education, Health, and Environmental Affairs, March 7, 2012

Committee Report: Favorable

Senate action: Adopted

Read second time: March 20, 2012

CHAPTER _____

1 AN ACT concerning

2 **Worcester County – Alcoholic Beverages – Beer and Wine Festivals**

3 FOR the purpose of authorizing the Worcester County Board of License
4 Commissioners to issue not more than a certain number of licenses each year
5 for displaying and selling beer and wine at beer and wine festivals in the
6 county; altering a certain definition; and generally relating to beer and wine
7 festivals in Worcester County.

8 BY repealing and reenacting, with amendments,
9 Article 2B – Alcoholic Beverages
10 Section 8–314
11 Annotated Code of Maryland
12 (2011 Replacement Volume)

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

15 **Article 2B – Alcoholic Beverages**

16 8–314.

17 (a) (1) In this section the following words have the meanings indicated.

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 (2) “Board” means the Worcester County Board of License
2 Commissioners.

3 (3) “Festival” means [the]:

4 (I) **THE** Worcester County Beer and Wine Festival (WBWF);
5 **OR**

6 (II) **A SIMILAR FESTIVAL FEATURING BEER AND WINE THAT**
7 **THE BOARD APPROVES.**

8 (b) This section applies only in Worcester County.

9 (c) The Board may issue [a special festival license] **NOT MORE THAN**
10 **THREE SPECIAL FESTIVAL LICENSES EACH YEAR.**

11 (d) Notwithstanding any other provision of this article, an applicant for a
12 special festival license shall be a holder of an existing State retail alcoholic beverages
13 license, State Class 3 winery license, or State Class 4 limited winery license issued
14 under this article.

15 (e) A special festival licensee shall:

16 (1) Only display and sell:

17 (i) Wine that is:

18 1. Manufactured and processed in any state;

19 2. Price filed in accordance with regulations adopted by
20 the Comptroller; and

21 3. Distributed in the State at the time the application is
22 filed; and

23 (ii) Beer that is brewed by a brewer:

24 1. Who brews less than 60,000 barrels of beer annually;
25 and

26 2. Whose product is distributed in the State at the time
27 the application is filed;

28 (2) Display and sell beer and wine at retail for consumption on or off
29 the licensed premises on the days and for the hours designated for the Festival; and

1 (3) Display and sell wine that is manufactured and processed in any
2 state at retail for consumption off the licensed premises on the days and for the hours
3 designated for the Festival.

4 (f) This section does not prohibit the holder of a special festival license from
5 holding another alcoholic beverages license of a different class or nature.

6 (g) The Board:

7 (1) May establish the license fee;

8 (2) May select one weekend, Friday through Sunday inclusive,
9 annually for [the] EACH Festival provided that the weekend that is selected does not
10 occur on the same weekend as the Maryland Wine Festival;

11 (3) Shall choose a location in the county for [this] EACH Festival
12 which is not licensed under this article; and

13 (4) Shall assure that the primary focus of the Festival is the promotion
14 of Maryland beer and wine.

15 (h) (1) Products displayed and sold shall be:

16 (i) Invoiced to the festival license holder by a licensed State
17 wholesaler, winery, or limited winery; and

18 (ii) Delivered to [the] EACH Festival from the licensed premises
19 of the wholesaler, winery, or limited winery.

20 (2) Whenever a festival license is issued pursuant to this subsection,
21 holders of wholesale, winery, or limited winery licenses may enter into an agreement
22 with the holder of a festival license to deliver beer and wine 2 days prior to the
23 effective date, and to accept returns 2 days after the expiration date of the festival
24 license.

25 (i) The Board shall adopt regulations for implementing this section.

26 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
27 July 1, 2012.