

HOUSE BILL 136

A2

4r0560
CF SB 298

By: **Montgomery County Delegation**

Introduced and read first time: January 13, 2014

Assigned to: Economic Matters

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 7, 2014

CHAPTER _____

1 AN ACT concerning

2 **Alcoholic Beverages – Montgomery County – Beer Festivals**

3 **MC 11-14**

4 FOR the purpose of authorizing Montgomery County to conduct a beer festival not
5 more than a certain number of times each year under the supervision of the
6 Montgomery County Department of Liquor Control; requiring the county, in
7 selecting a nonprofit festival organization to organize the beer festival, to
8 ensure that the organization has certain experience; specifying that the festival
9 organization select the weekends during which the festival will be conducted;
10 authorizing a festival organization to contract with holders of certain current
11 alcoholic beverages licenses to sell and display beer at the festival; specifying
12 that on the days and for the hours designated for the beer festival, beer may be
13 displayed and sold at retail under certain conditions; requiring a festival
14 organization to choose the festival location and ensure that the primary focus of
15 the festival is the promotion of Maryland beer; requiring that a person hold a
16 special beer festival license and contract with the festival organization before
17 selling, offering for sale, or displaying beer at a festival; authorizing the
18 Montgomery County Board of License Commissioners to issue a special beer
19 festival license; establishing a license fee; allowing certain persons to hold a
20 special beer festival license in addition to another license; providing for certain
21 penalties; requiring certain license fees to be deposited into the general fund of
22 the county; requiring the Montgomery County Board of License Commissioners
23 to adopt certain regulations; defining certain terms; and generally relating to
24 beer festivals in Montgomery County.

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 BY adding to
2 Article 2B – Alcoholic Beverages
3 Section 8–807
4 Annotated Code of Maryland
5 (2011 Replacement Volume and 2013 Supplement)

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

8 **Article 2B – Alcoholic Beverages**

9 **8–807.**

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

12 (2) “BOARD” MEANS THE MONTGOMERY COUNTY BOARD OF
13 LICENSE COMMISSIONERS.

14 (3) “FESTIVAL” MEANS THE MONTGOMERY COUNTY BEER
15 FESTIVAL.

16 (4) “FESTIVAL ORGANIZATION” MEANS A NONPROFIT
17 ORGANIZATION THAT IS SELECTED BY MONTGOMERY COUNTY IN ACCORDANCE
18 WITH SUBSECTION (B) OF THIS SECTION TO ORGANIZE A FESTIVAL.

19 (B) IN SELECTING A NONPROFIT ORGANIZATION TO BE A FESTIVAL
20 ORGANIZATION, MONTGOMERY COUNTY SHALL ENSURE THAT THE NONPROFIT
21 ORGANIZATION HAS EXTENSIVE EXPERIENCE IN ORGANIZING AND MANAGING
22 LARGE–SCALE PUBLIC EVENTS.

23 (C) UNDER THE SUPERVISION OF THE MONTGOMERY COUNTY
24 DEPARTMENT OF LIQUOR CONTROL, THE COUNTY EACH YEAR MAY CONDUCT
25 THE MONTGOMERY COUNTY BEER FESTIVAL ON NOT MORE THAN FOUR
26 WEEKENDS THAT A FESTIVAL ORGANIZATION SELECTS.

27 (D) A FESTIVAL ORGANIZATION MAY CONTRACT WITH HOLDERS OF A
28 CURRENT MONTGOMERY COUNTY RETAIL ALCOHOLIC BEVERAGES LICENSE, A
29 STATE CLASS 5 BREWERY LICENSE, A STATE CLASS 6 PUB–BREWERY LICENSE,
30 ~~OR~~ A STATE CLASS 7 MICRO–BREWERY LICENSE, OR A STATE CLASS 8 FARM
31 BREWERY LICENSE TO SELL AND DISPLAY BEER AT THE FESTIVAL.

32 (E) ON THE DAYS AND FOR THE HOURS DESIGNATED FOR THE
33 FESTIVAL, BEER MAY BE DISPLAYED AND SOLD AT RETAIL:

1 **(1) FOR CONSUMPTION ON THE PREMISES; AND**

2 **(2) FOR CONSUMPTION OFF THE PREMISES IN SEALED**
3 **CONTAINERS.**

4 **(F) A FESTIVAL ORGANIZATION:**

5 **(1) SHALL CHOOSE FOR THE FESTIVAL A LOCATION IN THE**
6 **COUNTY THAT MAY BE A LICENSED OR AN UNLICENSED PREMISES; AND**

7 **(2) SHALL ENSURE THAT THE PRIMARY FOCUS OF THE FESTIVAL**
8 **IS THE PROMOTION OF MARYLAND BEER.**

9 **(G) (1) BEFORE A PERSON MAY SELL, OFFER FOR SALE, OR DISPLAY**
10 **BEER AT A FESTIVAL, THE PERSON MUST CONTRACT WITH THE FESTIVAL**
11 **ORGANIZATION AND OBTAIN A SPECIAL BEER FESTIVAL LICENSE FROM THE**
12 **BOARD.**

13 **(2) THE BOARD MAY ISSUE A SPECIAL BEER FESTIVAL LICENSE.**

14 **(3) THE LICENSE FEE IS \$30 FOR EACH DAY OF THE FESTIVAL.**

15 **(4) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, A**
16 **PERSON MAY HOLD A SPECIAL BEER FESTIVAL LICENSE IN ADDITION TO**
17 **ANOTHER LICENSE ISSUED UNDER THIS ARTICLE.**

18 **(5) THE BOARD MAY DENY A SPECIAL BEER FESTIVAL LICENSE**
19 **TO ANY APPLICANT, SUSPEND OR REVOKE A SPECIAL BEER FESTIVAL LICENSE,**
20 **OR IMPOSE A FINE NOT EXCEEDING \$20,000 IF THE APPLICANT OR LICENSE**
21 **HOLDER VIOLATES A PROVISION OF THIS ARTICLE OR THE REGULATIONS OF**
22 **THE BOARD.**

23 **(6) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, ALL**
24 **LICENSE FEES COLLECTED UNDER THIS SUBSECTION SHALL BE DEPOSITED**
25 **INTO THE GENERAL FUND OF THE COUNTY.**

26 **(H) THE BOARD SHALL ADOPT REGULATIONS FOR IMPLEMENTING THIS**
27 **SECTION.**

28 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
29 July 1, 2014.