

SENATE BILL 1033

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4lr2932
CF HB 1386

By: **Senators Brinkley and Young**

Introduced and read first time: February 13, 2014

Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Frederick County – Alcoholic Beverages – Wine Sampling or Tasting**

3 FOR the purpose of altering a certain restriction on the number of bottles of wine that
4 may remain open at any one time at a wine sampling or tasting event in
5 Frederick County; prohibiting a single individual at a wine sampling or tasting
6 event in the county from consuming more than a certain amount of wine from
7 all brands in a single day; requiring the Board to adopt certain regulations; and
8 generally relating to wine sampling or tasting events in Frederick County.

9 BY repealing and reenacting, with amendments,
10 Article 2B – Alcoholic Beverages
11 Section 8–406
12 Annotated Code of Maryland
13 (2011 Replacement Volume and 2013 Supplement)

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

16 **Article 2B – Alcoholic Beverages**

17 8–406.

18 (a) This section applies only in Frederick County.

19 (b) A beer and wine sampling or tasting (BWST) license may only be issued
20 to a holder of a Class A license.

21 (c) The annual license fee is \$200.

22 (d) (1) Applications for a BWST license shall be made on forms supplied
23 by the Board of License Commissioners.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (2) Renewals of the license may be made at the time the regular
2 license is renewed.

3 (3) A license may be granted without a hearing.

4 (4) If application for a license is denied, the applicant may request a
5 public hearing before the Board.

6 (e) (1) A holder of a BWST license may allow consumption by a single
7 individual for sampling or tasting purposes of:

8 (i) Not more than 1 ounce of a given brand of light wine; and

9 (ii) Not more than 3 ounces of a given brand of beer.

10 [(2) A maximum of six bottles of wine may be opened at any one time.]

11 **(2) THE BOTTLES OF WINE THAT MAY BE OPENED AT ANY ONE**
12 **TIME AT A WINE SAMPLING OR TASTING EVENT ARE:**

13 **(I) ALL OF THE BOTTLES IN A WINE PRESERVATION**
14 **SYSTEM THAT THE BOARD APPROVES; AND**

15 **(II) NOT MORE THAN SIX OTHER BOTTLES OF WINE OPENED**
16 **BY A HOLDER OF A SOLICITOR'S PERMIT, THE HOLDER OF THE BWST LICENSE,**
17 **OR AN EMPLOYEE OF THE LICENSE HOLDER.**

18 **(3) A SINGLE INDIVIDUAL MAY NOT CONSUME MORE THAN 6**
19 **OUNCES OF WINE FROM ALL BRANDS IN A SINGLE DAY.**

20 **[(3) (4)** The licensee shall notify the Board in writing at least 5 days
21 prior to each event.

22 **[(4) (5)** Once opened, each bottle used for the beer and wine
23 sampling or tasting event shall be marked that it is to be used for that purpose only.

24 **[(5) (6)** The contents of each bottle may not be mixed with any other
25 bottle and all bottles shall be destroyed once they are empty.

26 (f) (1) A BWST license is for on-premises consumption only.

27 (2) Sampling or tasting of beer or wine may not be conducted from a
28 drive-through window.

1 **(G) THE BOARD SHALL ADOPT REGULATIONS TO CARRY OUT THIS**
2 **SECTION.**

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