

Department of Legislative Services
Maryland General Assembly
2014 Session

FISCAL AND POLICY NOTE

House Bill 600
Economic Matters

(Delegate Luedtke, *et al.*)
Education, Health, and Environmental Affairs

Alcoholic Beverages - Farmers' Market Permit - Establishment

This bill authorizes the Comptroller to issue a farmers' market permit to a holder of a license other than a Class 4 limited winery license if the license was issued by the local licensing board of the jurisdiction in which the farmers' market will be held.

The bill takes effect July 1, 2014.

Fiscal Summary

State Effect: The Comptroller can implement and enforce the bill using existing budgeted resources. There is no permit fee, so State revenues are not affected.

Local Effect: None.

Small Business Effect: Potential meaningful.

Analysis

Bill Summary: A farmers' market permit authorizes the permit holder to (1) occupy stall space at a farmers' market; (2) provide, at no charge, one-ounce samples of wine for on-premises consumption; and (3) offer and sell sealed containers of wine to consumers for off-premises consumption.

All wine offered for sale or samplings by the permit holder must be the product of a Class 4 limited winery.

The permit holder must notify the local licensing board of the jurisdiction in which the farmers' market will be held. The permit may only be used (1) at a farmers' market that is listed on the Maryland Department of Agriculture (MDA) Farmers' Market Directory; (2) at the farmers' market named in the permit; and (3) during the hours of operation of the farmers' market for which it is obtained.

The Comptroller may not issue more than one permit for use at each farmers' market.

Current Law/Background: Chapter 396 of 2013, which established a winery off-site permit and a wine festival permit, repealed the Comptroller's authority to issue a farmers' market permit to a holder of a license other than a Class 4 limited winery license. The permit allowed the sale of alcoholic beverages to the public for consumption off the licensed premises provided the license was issued by the local licensing board of the jurisdiction in which the farmers' market was held.

According to the Comptroller, there were three farmers' market permits issued prior to Chapter 396. There were 144 farmers' markets listed in the 2013 Farmers' Market Directory issued by MDA.

According to MDA, the Maryland Wineries Association estimates that 22 wineries attended 231 farmers' markets from June 1, 2013, through December 31, 2013.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Maryland Department of Agriculture, Comptroller's Office, Department of Legislative Services

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ncs/lgc

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