

# HOUSE BILL 290

A1, Q7

5lr1253

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By: **Delegate Barkley**

Introduced and read first time: February 4, 2015

Assigned to: Economic Matters

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## A BILL ENTITLED

1 AN ACT concerning

2 **Alcoholic Beverages – Winery Off-Site Permit Holders – Comptroller**  
3 **Notification and Attendance Restrictions**

4 FOR the purpose of requiring the holder of a winery off-site permit to report certain  
5 information to the Comptroller within a time period determined by the Comptroller  
6 rather than before a certain day; repealing a certain limitation on attendance at  
7 certain events by a holder of a winery off-site permit; and generally relating to  
8 winery off-site permit holders.

9 BY repealing and reenacting, without amendments,  
10 Article 2B – Alcoholic Beverages  
11 Section 2–102(a) and (e)(3) and 2–103  
12 Annotated Code of Maryland  
13 (2011 Replacement Volume and 2014 Supplement)

14 BY repealing and reenacting, with amendments,  
15 Article 2B – Alcoholic Beverages  
16 Section 2–102(h) and 2–104  
17 Annotated Code of Maryland  
18 (2011 Replacement Volume and 2014 Supplement)

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

### Article 2B – Alcoholic Beverages

22 2–102.

23 (a) There is a winery off-site permit.

24 (e) The winery offsite permit may be used only:

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (3) At an event that has as its major purpose an activity:

2 (i) That is other than the sale and promotion of alcoholic beverages;  
3 and

4 (ii) For which the participation of a winery is a subordinate activity;

5 (h) (1) [No later than the 20th day of the month preceding the off-site event,  
6 the] **THE** permit holder shall notify the Office of the Comptroller of its intention to attend  
7 an off-site event **WITHIN A TIME PERIOD AS DETERMINED BY THE OFFICE OF THE**  
8 **COMPTROLLER.**

9 (2) The notice shall be on a form that the Office of the Comptroller provides.  
10 2-103.

11 (a) There is a wine festival permit.

12 (b) (1) An applicant for a wine festival permit shall be a nonprofit  
13 organization, as defined by § 501(c) of the Internal Revenue Code.

14 (2) The Office of the Comptroller may issue the permit to a nonprofit  
15 organization that meets the requirements of this section.

16 (3) A permit authorizes the permit holder to conduct a wine festival for at  
17 least 1 day and not more than 3 consecutive days.

18 (c) (1) The permit holder may purchase wine at wholesale to:

19 (i) Provide to a consumer a sample that may not exceed 1 fluid ounce  
20 for each brand; and

21 (ii) Sell to a consumer wine for on- and off-premises consumption.

22 (2) The permit holder shall provide space at a wine festival for holders of  
23 winery off-site permits.

24 (3) A holder of a winery off-site permit that attends a wine festival may  
25 provide wine to a consumer in the same manner as the holder of the wine festival permit.

26 (4) The permit holder may provide or sell at the wine festival only alcoholic  
27 beverages provided by the permit holder or a holder of a winery off-site permit that is in  
28 attendance.

1 (d) At all times during the wine festival, the permit holder shall have present at  
2 least two agents, one of whom may be the permit holder, who are certified by an approved  
3 alcohol awareness program.

4 (e) An applicant for a wine festival permit shall:

5 (1) No less than 30 days before the proposed event, submit to the Office of  
6 the Comptroller a completed application on a form that the Office of the Comptroller  
7 provides that:

8 (i) States that the primary purpose of the wine festival is to promote  
9 Maryland wine;

10 (ii) Provides details of the wine festival, including the location,  
11 dates, and times of operation; and

12 (iii) Includes appropriate evidence that the owner of the property in  
13 which the wine festival may be held has given permission to the applicant to have the wine  
14 festival on its premises; and

15 (2) Pay a fee of \$100 for the wine festival permit.

16 (f) No less than 15 days before the wine festival, the permit holder shall provide  
17 the Office of the Comptroller with a list of winery off-site permit holders that will attend.

18 2-104.

19 Each calendar year, attendance at an event described in § 2-102(e)(3) of this title  
20 [and at a wine festival described in § 2-103 of this title] by a holder of a winery off-site  
21 permit shall be limited to attendance at no more than:

22 (1) 21 events statewide; and

23 (2) Nine events at any single venue.

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
25 October 1, 2015.