

HOUSE BILL 290

A1, Q7

5lr1253

By: **Delegate Barkley**

Introduced and read first time: February 4, 2015

Assigned to: Economic Matters

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 13, 2015

CHAPTER _____

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~~ altering a certain limitation on
7 attendance at certain events by a holder of a winery off-site permit; and generally
8 relating to 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:

21 **Article 2B – Alcoholic Beverages**

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 2-102.

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

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

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

5 (i) That is other than the sale and promotion of alcoholic beverages;
6 and

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

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

12 (2) The notice shall be on a form that the Office of the Comptroller provides.

13 2-103.

14 (a) There is a wine festival permit.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

21 2-104.

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

25 (1) ~~21~~ 32 events statewide; and

26 (2) Nine events at any single venue.

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