

Department of Legislative Services
Maryland General Assembly
2015 Session

FISCAL AND POLICY NOTE
Revised

House Bill 290

(Delegate Barkley)

Economic Matters

Education, Health, and Environmental Affairs

Alcoholic Beverages - Winery Off-Site Permit Holders - Comptroller Notification
and Attendance Restrictions

This bill requires a winery off-site permit holder to notify the Comptroller's Office of its intention to attend an off-site event within a time period as determined by the Comptroller's Office, instead of no later than the twentieth day of the month preceding the off-site event. The bill also increases, from 21 to 32, the number of events that a winery off-site permit holder may attend statewide in a calendar year.

Fiscal Summary

State Effect: None. The bill's requirements can be handled with existing budgeted resources within the Comptroller's Office.

Local Effect: None.

Small Business Effect: Minimal. Winery off-site permit holders benefit from being allowed to attend more events.

Analysis

Current Law: The Comptroller may issue a winery off-site permit to a Class 4 limited winery. The permit may be used only (1) during the Montgomery County Agricultural Fair; (2) one night each week from June through November at the North Beach Friday Night Farmers' Market; (3) at an event that has as its major purpose an activity that is other than the sale and promotion of alcoholic beverages and for which the participation of a winery is a subordinate activity; (4) at farmers' markets that are listed on the farmers' market directory of the Maryland Department of Agriculture; and (5) at a wine festival that

has as its primary purpose the promotion of Maryland wine and is authorized by the Comptroller.

During an authorized event, a permit holder may (1) provide to a consumer a sample that has been produced by the permit holder and that may not exceed one fluid ounce for each brand; (2) sell to a consumer wine that has been produced by the permit holder for off-premises consumption; and (3) except for specified farmers' markets sell to a consumer wine that is produced by the permit holder for on- and off-premises consumption.

A winery off-site permit holder must notify the Comptroller's Office of its intention to attend an off-site event no later than the twentieth day of the month preceding the off-site event. For an event that has as its major purpose an activity that is other than the sale and promotion of alcoholic beverages and for which the participation of a winery is a subordinate activity, and for wine festivals, the holder of a winery off-site permit may attend no more than 21 events statewide and 9 events at any single venue in a calendar year.

Background: In fiscal 2014, 56 winery off-site permits were issued, and the permits generated \$5,600 in general fund revenue.

Additional Information

Prior Introductions: None.

Cross File: None.

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

Fiscal Note History: First Reader - February 20, 2015
md/lgc Revised - House Third Reader - March 24, 2015

Analysis by: Heather N. Ruby

Direct Inquiries to:
(410) 946-5510
(301) 970-5510