

HOUSE BILL 306

A2

EMERGENCY BILL

7lr0791

By: **Montgomery County Delegation**

Introduced and read first time: January 25, 2017

Assigned to: Economic Matters

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 7, 2017

CHAPTER _____

1 AN ACT concerning

2 **Montgomery County – Alcoholic Beverages – Tasting at Dispensaries**

3 **MC 19–17**

4 FOR the purpose of authorizing the Department of Liquor Control for Montgomery County
5 to hold tastings of beer, wine, and liquor in the inventory of the dispensary under
6 certain circumstances at certain dispensaries; ~~authorizing a dispensary to serve, for~~
7 ~~tasting, beer, wine, and liquor that are in the inventory of the dispensary;~~ limiting
8 the quantity of beer, wine, and liquor that an individual may consume as part of a
9 tasting; making this Act an emergency measure; and generally relating to alcoholic
10 beverages in Montgomery County.

11 BY repealing and reenacting, without amendments,
12 Article – Alcoholic Beverages
13 Section 25–102 and 25–301
14 Annotated Code of Maryland
15 (2016 Volume and 2016 Supplement)

16 BY repealing and reenacting, with amendments,
17 Article – Alcoholic Beverages
18 Section 25–310
19 Annotated Code of Maryland
20 (2016 Volume and 2016 Supplement)

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

3 **Article – Alcoholic Beverages**

4 25–102.

5 This title applies only in Montgomery County.

6 25–301.

7 (a) In this subtitle the following words have the meanings indicated.

8 (b) “Department” means the County Department of Liquor Control.

9 (c) “Director” means the Director of the Department.

10 (d) “Dispensary” means a store established and maintained by the Department
11 for the sale of alcoholic beverages.

12 25–310.

13 (a) With the approval of the County Executive, the Director may establish a
14 dispensary at one or more locations that the Director determines.

15 (b) (1) The Department may sell its inventory through:

16 (i) dispensaries selling at wholesale and retail; and

17 (ii) subject to subsection (c) of this section, retail outlets operated by
18 individuals with whom the Department contracts.

19 (2) Notwithstanding any other law, the Director may sell at wholesale or
20 retail alcoholic beverages in whole cases or in individual bottles through dispensaries to a
21 license holder in the county.

22 (3) The Department may not sell alcoholic beverages at different prices to
23 different license holders or classes of license holders.

24 (c) (1) The Director may not contract with a person to operate:

25 (i) a dispensary; or

26 (ii) except as provided in paragraph (2) of this subsection, a retail
27 outlet for the sale of beer, wine, and liquor.

1 (2) The Director may enter into a contract with a person to operate a retail
2 outlet for the sale of beer, wine, and liquor if:

3 (i) the Board of License Commissioners determines that the person
4 is fit to operate the retail outlet; and

5 (ii) the Director had a contract with a person to operate the retail
6 outlet on January 1, 1997.

7 (d) A dispensary or a retail outlet operated under contract with the Director:

8 (1) may sell only:

9 (i) EXCEPT AS PROVIDED FOR IN SUBSECTION (E) OF THIS
10 SUBSECTION, for off-premises consumption, nonchilled beer, wine, and liquor;

11 (ii) ice;

12 (iii) bottled water; and

13 (iv) items commonly associated with the serving or consumption of
14 alcoholic beverages, including bottle openers, corkscrews, drink mixes, and lime juice; and

15 (2) may not sell snack foods or soft drinks.

16 (e) **(1) A DISPENSARY MAY SELL ANY PRODUCT IN THE DISPENSARY'S**
17 **INVENTORY FOR THE PURPOSE OF:**

18 **(I) ~~HOLD~~ HOLDING TASTINGS OF BEER, WINE, AND LIQUOR ON**
19 **THE PREMISES OF THE DISPENSARY ONLY;**

20 **(II) ~~SERVE~~ SERVING, FOR TASTING, BEER, WINE, AND LIQUOR**
21 **~~THAT ARE IN THE INVENTORY OF THE DISPENSARY; AND~~**

22 **(III) ~~ALLOW~~ ALLOWING THE CONSUMPTION OF BEER, WINE, AND**
23 **LIQUOR BY AN INDIVIDUAL FOR TASTING IN A QUANTITY OF NOT MORE THAN:**

24 **1. ONE-HALF OUNCE FROM EACH OFFERING OF LIQUOR;**

25 **2. 1.5 OUNCES FROM ALL OFFERINGS OF LIQUOR IN A**
26 **DAY;**

27 **3. 1 OUNCE FROM EACH OFFERING OF WINE;**

28 **4. 4 OUNCES FROM ALL OFFERINGS OF WINE IN A DAY;**

