

HOUSE BILL 962

A1
HB 1024/17 – ECM

8lr2302
CF SB 283

By: **Delegates Mautz, Adams, Anderton, Barkley, Carey, Carr, Fisher, Frick, Krebs, Lafferty, Lisanti, Luedtke, Otto, Stein, and West**

Introduced and read first time: February 5, 2018

Assigned to: Economic Matters

Committee Report: Favorable

House action: Adopted

Read second time: March 13, 2018

CHAPTER _____

1 AN ACT concerning

2 **Alcoholic Beverages – Auxiliary Winery Permit**

3 FOR the purpose of establishing an auxiliary winery permit; authorizing the Comptroller
4 to issue the permit to a holder of a Class 4 limited winery permit for use at a single
5 location off the licensed premises anywhere in the State subject to certain
6 restrictions; imposing certain limits on the number of permits that the Comptroller
7 may issue throughout the State and on the number of permits that each license
8 holder may be issued; authorizing the holder of the permit to exercise the privileges
9 with certain exceptions that are allowed at the premises for which the holder's Class
10 4 license is issued; requiring that an agent who is certified by an approved alcohol
11 awareness program be present while a permit holder sells or provides samples of
12 wine; specifying that a holder of a Class 4 license may be issued a certain number of
13 permits; requiring an applicant for a permit to submit a certain application to the
14 Comptroller; providing for an annual permit fee; and generally relating to alcoholic
15 beverages permits issued by the Comptroller.

16 BY adding to
17 Article – Alcoholic Beverages
18 Section 2–134.1
19 Annotated Code of Maryland
20 (2016 Volume and 2017 Supplement)

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

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.



Article – Alcoholic Beverages

2-134.1.

(A) THERE IS AN AUXILIARY WINERY PERMIT.

(B) (1) SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, THE COMPTROLLER MAY ISSUE THE PERMIT TO A CLASS 4 LIMITED WINERY FOR USE AT A SINGLE LOCATION OFF THE LICENSED PREMISES ANYWHERE IN THE STATE.

(2) (I) THE COMPTROLLER MAY ISSUE NOT MORE THAN 25 PERMITS THROUGHOUT THE STATE.

(II) EACH LICENSE HOLDER MAY BE ISSUED NOT MORE THAN ONE PERMIT.

(3) A PERMIT MAY BE GRANTED ONLY FOR A LOCATION THAT COMPLIES WITH ANY RELEVANT RESTRICTIONS THAT APPLY TO THE ISSUANCE OF A LOCAL RETAIL LICENSE IN THE JURISDICTION UNDER § 1-202 OF THIS ARTICLE.

(C) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE PERMIT AUTHORIZES THE HOLDER TO EXERCISE ALL THE PRIVILEGES ALLOWED AT THE PREMISES FOR WHICH THE HOLDER'S CLASS 4 LICENSE IS ISSUED.

(2) THE PERMIT HOLDER MAY NOT FERMENT AND BOTTLE WINE OR DISTILL AND BOTTLE POMACE BRANDY AT THE LOCATION DESCRIBED IN THE PERMIT.

(D) WHILE SELLING OR PROVIDING SAMPLES OF WINE, A PERMIT HOLDER SHALL HAVE AN AGENT PRESENT WHO IS CERTIFIED BY AN APPROVED ALCOHOL AWARENESS PROGRAM.

(E) AN APPLICANT SHALL:

(1) SUBMIT TO THE COMPTROLLER A COMPLETED APPLICATION ON A FORM THAT THE COMPTROLLER PROVIDES; AND

(2) PAY AN ANNUAL FEE OF \$250 FOR THE PERMIT.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2018.