

# HOUSE BILL 354

A2

9lr0451  
CF SB 104

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By: **Washington County Delegation**

Introduced and read first time: January 28, 2019

Assigned to: Economic Matters

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 15, 2019

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Washington County – Alcoholic Beverages – Wineries – Special Event Permits**

3 FOR the purpose of ~~authorizing the Board of License Commissioners for Washington~~  
4 ~~County to permit a certain license holder that has been issued a certain special~~  
5 ~~events permit to sell a certain sparkling wine not produced by the license holder;~~  
6 ~~increasing the number of times a license holder may use a certain special events~~  
7 ~~permit in a year; authorizing the Board to permit a license holder to use a certain~~  
8 ~~special events permit more than a certain number of times in a year; repealing~~  
9 ~~extending a certain termination provision relating to the issuance of a certain special~~  
10 ~~events permit by the Board of License Commissioners for Washington County;~~  
11 ~~providing for the termination of this Act; and generally relating to sales of alcoholic~~  
12 ~~beverages in Washington County.~~

13 BY repealing and reenacting, without amendments,  
14 Article – Alcoholic Beverages  
15 Section 31-102 ~~and~~, 31-401, and 31-402.1  
16 Annotated Code of Maryland  
17 (2016 Volume and 2018 Supplement)

18 ~~BY repealing and reenacting, with amendments,~~  
19 ~~Article – Alcoholic Beverages~~  
20 ~~Section 31-402.1~~  
21 ~~Annotated Code of Maryland~~  
22 ~~(2016 Volume and 2018 Supplement)~~

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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 BY repealing and reenacting, with amendments,  
2 Chapter 432 of the Acts of the General Assembly of 2017  
3 Section 2

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

6 **Article – Alcoholic Beverages**

7 31–102.

8 This title applies only in Washington County.

9 31–401.

10 (a) The following sections of Title 2, Subtitle 2 (“Manufacturer’s Licenses”) of  
11 Division I of this article apply in the county without exception or variation:

- 12 (1) § 2–201 (“Issuance by Comptroller”);
- 13 (2) § 2–202 (“Class 1 distillery license”);
- 14 (3) § 2–203 (“Class 9 limited distillery license”);
- 15 (4) § 2–204 (“Class 2 rectifying license”);
- 16 (5) § 2–207 (“Class 5 brewery license”);
- 17 (6) § 2–210 (“Class 8 farm brewery license”);
- 18 (7) § 2–211 (“Residency requirement”);
- 19 (8) § 2–212 (“Additional licenses”);
- 20 (9) § 2–213 (“Additional fees”);
- 21 (10) § 2–214 (“Sale or delivery restricted”);
- 22 (11) § 2–216 (“Interaction between manufacturing entities and retailers”);
- 23 (12) § 2–217 (“Distribution of alcoholic beverages — Prohibited practices”);
- 24 and
- 25 (13) § 2–218 (“Restrictive agreements between producers and  
26 retailers — Prohibited”).

(b) The following sections of Title 2, Subtitle 2 (“Manufacturer’s Licenses”) of Division I of this article apply in the county:

(1) § 2–205 (“Class 3 winery license”), subject to § 31–402.1 of this subtitle;

(2) § 2–206 (“Class 4 limited winery license”), subject to § 31–402.1 of this subtitle;

(3) § 2–208 (“Class 6 pub–brewery license”), subject to § 31–403 of this subtitle;

(4) § 2–209 (“Class 7 micro–brewery license”), subject to § 31–404 of this subtitle; and

(5) § 2–215 (“Beer sale on credit to retail dealer prohibited”), subject to § 31–405 of this subtitle.

31–402.1.

(a) There is a special event permit.

(b) The Board may issue the permit to a holder of a Class 3 winery license or a Class 4 limited winery license.

(c) ~~(1)~~ The permit authorizes the holder to sell for on–premises consumption beer, wine produced by the holder, and liquor at:

~~{(1)} (I)~~ an event for which the entire licensed premises has been rented;

~~{(2)} (II)~~ an event that the Board approves.

~~(2) THE BOARD MAY AUTHORIZE A LICENSE HOLDER TO SELL FOR ON-PREMISES CONSUMPTION NATURALLY OR ARTIFICIALLY CARBONATED SPARKLING WINE NOT PRODUCED BY THE LICENSE HOLDER.~~

(d) The license holder who intends to use the permit shall notify the Board at least 1 week before the event is to occur.

(e) ~~(1)~~ ~~{The}~~ ~~EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE~~ license holder may use the permit not more than ~~{60}~~ 85 times in a year.

~~(2) THE BOARD MAY AUTHORIZE A LICENSE HOLDER TO USE THE PERMIT MORE THAN 85 TIMES IN A YEAR.~~

1 (f) The annual permit fee is \$1,000.

2 **Chapter 432 of the Acts of 2017**

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
4 1, 2017. ~~It shall remain effective for a period of 2 years~~ **3 YEARS AND 6 MONTHS** and, at  
5 the end of ~~June 30, 2019~~ **DECEMBER 31, 2020**, with no further action required by the  
6 General Assembly, this Act shall be abrogated and of no further force and effect.†

7 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June  
8 1, 2019. It shall remain effective for a period of 1 year and 7 months and, at the end of  
9 December 31, 2020, this Act, with no further action required by the General Assembly, shall  
10 be abrogated and of no further force and effect.

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.