HOUSE BILL 311

By: Washington County Delegation
Introduced and read first time: January 19, 2022
Assigned to: Economic Matters

A BILL ENTITLED

AN ACT concerning

Washington County – Alcoholic Beverages Licenses – Class 3 Winery

FOR the purpose of authorizing the Board of License Commissioners for Washington County to issue a Class D beer and wine license to certain holders of a Class 3 winery license; authorizing the holder of a certain Class D beer and wine license in the county to sell certain wine; prohibiting the transfer of the license to another owner or for use at another premises; and generally relating to alcoholic beverages licenses in Washington County.

BY repealing and reenacting, without amendments,

Article – Alcoholic Beverages
Section 2–212(b)(1), 2–311(b)(1), and 31–102
Annotated Code of Maryland
(2016 Volume and 2021 Supplement)

BY repealing and reenacting, with amendments,

Article – Alcoholic Beverages
Section 31–401
Annotated Code of Maryland
(2016 Volume and 2021 Supplement)

BY adding to

Article – Alcoholic Beverages
Section 31–402.2
Annotated Code of Maryland
(2016 Volume and 2021 Supplement)

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

Article – Alcoholic Beverages

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.
(b) (1) The holder of a rectifying or winery license may apply for and obtain a wholesaler’s license of any class for the same premises or elsewhere as provided under this article.

This title applies only in Washington County.

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

(1) § 2–201 (“Issuance by Comptroller”);

(2) § 2–202 (“Class 1 distillery license”);

(3) § 2–203 (“Class 9 limited distillery license”);

(4) § 2–204 (“Class 2 rectifying license”);

(5) § 2–207 (“Class 5 brewery license”);

(6) § 2–210 (“Class 8 farm brewery license”);

(7) § 2–211 (“Residency requirement”);

(8) § 2–212 (“Additional licenses”);

(9) § 2–213 (“Additional fees”);

(10) § 2–214 (“Sale or delivery restricted”);

(11) § 2–216 (“Interaction between manufacturing entities and retailers”);

(12) § 2–217 (“Distribution of alcoholic beverages — Prohibited practices”); and
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(13) § 2–218 (“Restrictive agreements between producers and 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 AND 31–402.2 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.

31–402.2.

(A) The Board may issue a Class D beer and wine license to a holder of a Class 3 winery license that:

(1) held a Class 4 limited winery license prior to May 31, 2018; and

(2) produces less than 30,000 gallons annually.

(B) The holder may sell only wine that the holder produces under its own label for on– and off–premises consumption.

(C) The license may not be transferred to another owner or for use on any other premises.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2022.