

HOUSE BILL 1106

A2

2lr1441

By: **Washington County Delegation**

Introduced and read first time: February 10, 2022

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Washington County – Alcoholic Beverages Licenses – Wine**

3 FOR the purpose of altering references to “light wine” in alcoholic beverages licenses in
4 Washington County to refer instead to “wine”; authorizing the Board of License
5 Commissioners for Washington County to issue a refillable container permit for wine
6 to certain license holders; and generally relating to alcoholic beverages in
7 Washington County.

8 BY repealing and reenacting, without amendments,
9 Article – Alcoholic Beverages
10 Section 1–101(a) and (ii) and 31–102
11 Annotated Code of Maryland
12 (2016 Volume and 2021 Supplement)

13 BY repealing and reenacting, with amendments,
14 Article – Alcoholic Beverages
15 Section 31–101; 31–701 to be under the amended subtitle “Subtitle 7. Wine
16 Licenses”; 31–801(a) and (b), 31–802(a) and (b), 31–803(a) and (b)(1)(vi) and
17 (2), 31–804(a) and (b), and 31–805(a) and (b) to be under the amended subtitle
18 “Subtitle 8. Beer and Wine Licenses”; 31–1003(d)(1), 31–1005(b), (d), and (e),
19 31–1101, 31–1102.1, 31–1502, 31–1503, 31–1804, and 31–2003
20 Annotated Code of Maryland
21 (2016 Volume and 2021 Supplement)

22 BY adding to
23 Article – Alcoholic Beverages
24 Section 31–1102.1
25 Annotated Code of Maryland
26 (2016 Volume and 2021 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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 1–101.

5 (a) In this article the following words have the meanings indicated.

6 (ii) (1) “Wine” means a fermented beverage.

7 (2) “Wine” includes:

8 (i) light wine;

9 (ii) sparkling wine that is naturally or artificially carbonated; and

10 (iii) fortified wine to which alcohol, spirits, or other ingredients are
11 added.

12 31–101.

13 (a) In this title:

14 (1) the definitions in § 1–101 of this article apply without exception or
15 variation; and

16 (2) the following words have the meanings indicated.

17 (b) “Board” means the Board of License Commissioners for Washington County.

18 (c) “County” means Washington County.

19 [(d) “Light wine” means wine that contains not more than 15.5% of alcohol by
20 volume.]

21 31–102.

22 This title applies only in Washington County.

23 Subtitle 7. [Light] Wine Licenses.

24 31–701.

25 (a) There is a Class A [light] wine license in the county.

26 (b) The license may be issued to a holder of a Class 3 winery license or a Class 4

1 limited winery license.

2 (c) (1) The license authorizes the license holder to sell at retail at the place
3 described in the license [light] wine produced at the winery.

4 (2) [Light wine] WINE shall be sold in a sealed package or container that
5 may not be opened or its contents consumed on the licensed premises.

6 (d) The annual license fee is \$50.

7 Subtitle 8. Beer and [Light] Wine Licenses.

8 31-801.

9 (a) There is a Class A beer and [light] wine license.

10 (b) (1) The license authorizes the license holder to sell beer and [light] wine,
11 at retail, at the place described in the license.

12 (2) The license holder shall sell the beer and [light] wine in a sealed
13 package or container.

14 (3) The package or container may not be opened and its contents may not
15 be consumed on the premises where the beer or [light] wine is sold.

16 31-802.

17 (a) There is a Class B beer and [light] wine license.

18 (b) The license authorizes the license holder to sell beer and [light] wine at a hotel
19 or restaurant, at retail, at the place described in the license, for on- and off-premises
20 consumption.

21 31-803.

22 (a) There is a Class B beer and [light] wine (on-sale only) license.

23 (b) (1) The Board may issue the license for use by a restaurant that:

24 (vi) serves food at all times whenever beer and [light] wine are being
25 served or consumed; and

26 (2) The license authorizes the license holder to sell beer and [light] wine at
27 retail at the place described in the license for on-premises consumption.

28 31-804.

1 (a) There is a Class C beer and [light] wine license.

2 (b) The license authorizes the license holder to sell beer and [light] wine to a
3 member of a club and guests of members, at retail, at the place described in the license, for
4 on-premises consumption.

5 31-805.

6 (a) There is a Class D beer and [light] wine license.

7 (b) The license authorizes the license holder to sell beer and [light] wine, at retail,
8 at the place described in the license, for on- and off-premises consumption.

9 31-1003.

10 (d) (1) Except as provided in paragraph (2) of this subsection, the license
11 holder may sell beer and wine during the hours and days as set out for a Class C beer and
12 [light] wine license under § 31-2003 of this title.

13 31-1005.

14 (b) There is a stadium beer and [light] wine license.

15 (d) (1) The license authorizes the license holder to sell beer and [light] wine:

16 (i) for on-premises consumption to individuals present at an event
17 held in the stadium; and

18 (ii) in plastic, Styrofoam, or paper containers.

19 (2) The written approval of the Board is required before beer and [light]
20 wine may be sold, served, or consumed:

21 (i) on a parking lot of the stadium; or

22 (ii) during an event other than a baseball game in which the team of
23 the license holder is playing.

24 (e) The license holder may sell beer and [light] wine from the time the stadium
25 opens for the event until the event ends.

26 31-1101.

27 (a) The following sections of Title 4, Subtitle 11 (“Additional License Privileges”)
28 of Division I of this article apply in the county without exception or variation:

1 (1) § 4-1102 (“Corkage — Consuming wine not purchased from license
2 holder on licensed premises”); and

3 (2) § 4-1103 (“Removal of partially consumed bottle of wine from licensed
4 premises”).

5 (b) [Section 4-1105 (“Refillable container permit — Wine”) of Division I of this
6 article does not apply in the county.

7 (c)] The following sections of Title 4, Subtitle 11 (“Additional License Privileges”)
8 of Division I of this article apply in the county:

9 (1) § 4-1104 (“Refillable container permit — Draft beer”), subject to §
10 31-1102 of this subtitle;

11 (2) § 4-1105 (“REFILLABLE CONTAINER PERMIT – WINE”), SUBJECT
12 TO § 31-1102.1 OF THIS SUBTITLE; and

13 [(2)] (3) § 4-1106 (“Nonrefillable container permit — Draft beer”), subject
14 to [§ 31-1102.1] § 31-1102.2 of this subtitle.

15 **31-1102.1.**

16 (A) **THE BOARD MAY ISSUE A REFILLABLE CONTAINER PERMIT FOR WINE**
17 **TO A HOLDER OF A CLASS A WINE LICENSE.**

18 (B) **AN APPLICANT FOR THE PERMIT SHALL COMPLETE THE FORM THAT**
19 **THE BOARD PROVIDES.**

20 (C) **THE HOURS OF SALE FOR THE PERMIT:**

21 (1) **BEGIN AT THE SAME TIME AS THOSE FOR THE UNDERLYING**
22 **LICENSE; AND**

23 (2) **END AT MIDNIGHT.**

24 (D) **THE ANNUAL PERMIT FEE IS \$50.**

25 **[31-1102.1.] 31-1102.2.**

26 (a) The Board may issue a nonrefillable container permit for draft beer to a holder
27 of a Class A license, a Class B license, or a Class D license.

28 (b) An applicant for the permit shall complete the form that the Board provides.

1 (c) The hours of sale for the permit:

2 (1) begin at the same time as those for the underlying license; and

3 (2) end at midnight.

4 (d) (1) Except as provided in paragraph (2) of this subsection, the annual
5 permit fees are:

6 (i) \$50 for an applicant whose license has an off-sale privilege; and

7 (ii) \$500 for an applicant whose license does not have an off-sale
8 privilege.

9 (2) An applicant who has a refillable container permit may not be charged
10 a fee for a nonrefillable container permit.

11 31-1502.

12 The Board may not issue a Class A or Class D beer license, beer and [light] wine
13 license, or beer, wine, and liquor license to a person that holds an out-of-state alcoholic
14 beverages license.

15 31-1503.

16 Multiple licenses may be issued for the same premises or to an individual for the use
17 of that individual, a partnership, a corporation, an unincorporated association, or a limited
18 liability company if:

19 (1) the licenses are Class D beer or Class D beer and [light] wine licenses;
20 and

21 (2) each premises is a bowling establishment that has at least 30 lanes with
22 automatic pinsetters.

23 31-1804.

24 Notwithstanding § 31-1502 of this title, the Board may renew a Class A or Class D
25 beer license, beer and [light] wine license, or beer, wine, and liquor license originally issued
26 to a holder of an out-of-state alcoholic beverages license.

27 31-2003.

28 (a) A holder of a Class A beer and [light] wine license may sell beer and [light]
29 wine:

1 (1) on Monday through Saturday, from 6 a.m. to 2 a.m. the following day;
2 and

3 (2) on Sunday, from 11 a.m. to midnight, if a fee is paid.

4 (b) (1) A holder of a Class B beer and [light] wine (on- and off-sale) license
5 may sell beer and [light] wine:

6 (i) on Monday through Saturday, from 6 a.m. to 2 a.m. the following
7 day; and

8 (ii) except as provided in paragraphs (2) and (3) of this subsection,
9 on Sunday, from noon to midnight, if a fee is paid.

10 (2) The license holder may sell beer and [light] wine on Sunday, from 11
11 a.m. to midnight, if:

12 (i) the consumer places an order for a meal simultaneously with or
13 before placing an order for an alcoholic beverage; or

14 (ii) the consumer is entitled to a meal on the premises as part of a
15 prearranged event.

16 (3) When a federal holiday falls on a Monday, the license holder may sell
17 beer and [light] wine on the Sunday immediately before the Monday holiday, from noon to
18 2 a.m. the following day.

19 (c) (1) A holder of a Class B beer and [light] wine (on-sale only) pouring
20 license may sell beer and [light] wine:

21 (i) on Monday through Saturday, from 6 a.m. to 2 a.m. the following
22 day; and

23 (ii) except as provided in paragraphs (2) and (3) of this subsection,
24 on Sunday, from noon to midnight, if a fee is paid.

25 (2) The license holder may sell beer and [light] wine on Sunday, from 11
26 a.m. to midnight, if:

27 (i) the consumer places an order for a meal simultaneously with or
28 before placing an order for an alcoholic beverage; or

29 (ii) the consumer is entitled to a meal on the premises as part of a
30 prearranged event.

31 (3) When a federal holiday falls on a Monday, the license holder may sell

1 beer and [light] wine on the Sunday immediately before the Monday holiday, from noon to
2 2 a.m. the following day.

3 (d) A holder of a Class B sidewalk cafe permit may sell or provide beer and [light]
4 wine in the sidewalk cafe on Monday through Sunday, from noon to midnight.

5 (e) (1) A holder of a Class C beer and [light] wine license may sell beer and
6 [light] wine:

7 (i) on Monday through Saturday, from 6 a.m. to 2 a.m. the following
8 day; and

9 (ii) except as provided in paragraphs (2) and (3) of this subsection,
10 on Sunday from noon to midnight, if a fee is paid.

11 (2) The license holder may sell beer and [light] wine on Sunday, from 11
12 a.m. to midnight, if:

13 (i) the consumer places an order for a meal simultaneously with or
14 before placing an order for an alcoholic beverage; or

15 (ii) the consumer is entitled to a meal on the premises as part of a
16 prearranged event.

17 (3) When a federal holiday falls on a Monday, the license holder may sell
18 beer and [light] wine on the Sunday immediately before the Monday holiday, from noon to
19 2 a.m. the following day.

20 (f) (1) A holder of a Class D beer and [light] wine (on-sale) license may sell
21 beer and [light] wine:

22 (i) on Monday through Saturday, from 6 a.m. to 2 a.m. the following
23 day; and

24 (ii) except as provided in paragraph (2) of this subsection, on
25 Sunday, from noon to midnight, if a fee is paid.

26 (2) When a federal holiday falls on a Monday, the license holder may sell
27 beer and [light] wine on the Sunday immediately before the Monday holiday, from noon to
28 2 a.m. the following day.

29 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
30 1, 2022.