

SENATE BILL 102

A2

(PRE-FILED)

2lr1063
CF 2lr1064

By: **Senator Cassilly**

Requested: October 29, 2021

Introduced and read first time: January 12, 2022

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Harford County – Alcoholic Beverages – Sale of Beer to Retail Dealer**

3 FOR the purpose of authorizing a holder of a manufacturer’s license and a holder of a
4 wholesaler’s license to sell beer to a retail dealer on terms other than cash on delivery
5 in Harford County; and generally relating to alcoholic beverages in Harford County.

6 BY repealing and reenacting, without amendments,

7 Article – Alcoholic Beverages

8 Section 2–215, 2–314, and 22–102

9 Annotated Code of Maryland

10 (2016 Volume and 2021 Supplement)

11 BY repealing and reenacting, with amendments,

12 Article – Alcoholic Beverages

13 Section 22–401 and 22–501

14 Annotated Code of Maryland

15 (2016 Volume and 2021 Supplement)

16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

17 That the Laws of Maryland read as follows:

18 **Article – Alcoholic Beverages**

19 2–215.

20 (a) A holder of a manufacturer’s license may not sell beer to a retail dealer on
21 terms other than for cash on delivery.

22 (b) A civil action to enforce or collect a claim for credit extended or enforce a check
23 given in violation of this section may not be maintained in the State.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 2–314.

2 (a) A holder of a wholesaler’s license may not sell beer to a retail dealer on terms
3 other than for cash on delivery.

4 (b) A suit or civil action to enforce or collect a claim for credit extended or enforce
5 payment of a check given for payment in violation of this section may not be maintained in
6 the State.

7 (c) A person that violates this section is subject to the penalties provided in §
8 6–402 of this article.

9 22–102.

10 This title applies only in Harford County.

11 22–401.

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

- 14 (1) § 2–201 (“Issuance by Comptroller”);
- 15 (2) § 2–202 (“Class 1 distillery license”);
- 16 (3) § 2–203 (“Class 9 limited distillery license”);
- 17 (4) § 2–204 (“Class 2 rectifying license”);
- 18 (5) § 2–205 (“Class 3 winery license”);
- 19 (6) § 2–206 (“Class 4 limited winery license”);
- 20 (7) § 2–208 (“Class 6 pub–brewery license”);
- 21 (8) § 2–209 (“Class 7 micro–brewery license”);
- 22 (9) § 2–210 (“Class 8 farm brewery license”);
- 23 (10) § 2–211 (“Residency requirement”);
- 24 (11) § 2–212 (“Additional licenses”);
- 25 (12) § 2–213 (“Additional fees”);
- 26 (13) § 2–214 (“Sale or delivery restricted”);

1 (14) [§ 2–215 (“Beer sale on credit to retail dealer prohibited”);

2 (15)] § 2–216 (“Interaction between manufacturing entities and retailers”);

3 [(16)] (15) § 2–217 (“Distribution of alcoholic beverages — Prohibited
4 practices”); and

5 [(17)] (16) § 2–218 (“Restrictive agreements between producers and
6 retailers — Prohibited”).

7 (B) SECTION 2–215 (“BEER SALE ON CREDIT TO RETAIL DEALER
8 PROHIBITED”) OF DIVISION I OF THIS ARTICLE DOES NOT APPLY IN THE COUNTY.

9 [(b)] (C) Section 2–207 (“Class 5 brewery license”) of Division I of this article
10 applies in the county, subject to § 22–403 of this subtitle.

11 22–501.

12 (A) THE FOLLOWING SECTIONS OF Title 2, Subtitle 3 (“Wholesaler’s Licenses”)
13 of Division I of this article [applies] APPLY in the county without exception or variation:

14 (1) § 2–301 (“LICENSES ISSUED BY COMPTROLLER”);

15 (2) § 2–302 (“CLASS 1 BEER, WINE, AND LIQUOR WHOLESALER’S
16 LICENSE”);

17 (3) § 2–303 (“CLASS 2 WINE AND LIQUOR WHOLESALER’S LICENSE”);

18 (4) § 2–304 (“CLASS 3 BEER AND WINE WHOLESALER’S LICENSE”);

19 (5) § 2–305 (“CLASS 4 BEER WHOLESALER’S LICENSE”);

20 (6) § 2–306 (“CLASS 5 WINE WHOLESALER’S LICENSE”);

21 (7) § 2–307 (“CLASS 6 LIMITED WINE WHOLESALER’S LICENSE”);

22 (8) § 2–308 (“CLASS 7 LIMITED BEER WHOLESALER’S LICENSE”);

23 (9) § 2–308.1 (“CLASS 8 LIQUOR WHOLESALER’S LICENSE”);

24 (10) § 2–309 (“SALE AND DELIVERY OF BEER OR WINE FROM
25 WHOLESALER’S VEHICLE”);

1 **(11) § 2-310 (“SALE AND DELIVERY TO RETAIL LICENSE HOLDER”);**

2 **(12) § 2-311 (“ADDITIONAL WHOLESALER’S LICENSES”);**

3 **(13) § 2-312 (“DIRECT IMPORTATION OF ALCOHOLIC BEVERAGES”);**

4 **(14) § 2-313 (“SALE OR DELIVERY RESTRICTED TO HOLDER OF**
5 **LICENSE OR PERMIT”);**

6 **(15) § 2-315 (“INTERACTION BETWEEN WHOLESALING ENTITIES AND**
7 **RETAILERS”);**

8 **(16) § 2-316 (“DISTRIBUTION OF ALCOHOLIC**
9 **BEVERAGES — PROHIBITED PRACTICES”); AND**

10 **(17) § 2-317 (“RESTRICTIVE AGREEMENTS BETWEEN WHOLESALERS**
11 **AND RETAILERS — PROHIBITED”).**

12 **(B) SECTION 2-314 (“BEER SALE ON CREDIT TO RETAIL DEALER**
13 **PROHIBITED”) OF DIVISION I OF THIS ARTICLE DOES NOT APPLY IN THE COUNTY.**

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
15 1, 2022.