

HOUSE BILL 464

A1

EMERGENCY BILL

7lr1342

By: **Delegates Branch, Barkley, Brooks, Frick, Lisanti, and Waldstreicher**

Introduced and read first time: January 26, 2017

Assigned to: Economic Matters

Committee Report: Favorable

House action: Adopted

Read second time: March 7, 2017

CHAPTER _____

1 AN ACT concerning

2 **Alcoholic Beverages – Beer, Wine, and Liquor Exhibition Permit**

3 FOR the purpose of altering the national family beer and wine exhibition permit to make
4 it the national beer, wine, and liquor exhibition permit; authorizing the Comptroller
5 to issue the permit to a bona fide alcohol trade association; authorizing the permit
6 holder to exhibit, judge, and taste beer, wine, and liquor under certain
7 circumstances; authorizing the permit holder to receive for use beer, wine, and liquor
8 from certain persons under certain circumstances; authorizing the permit holder to
9 allow a person to possess and consume beer, wine, and liquor under certain
10 circumstances; repealing a certain restriction on the premises for which a permit
11 may be granted; making this Act an emergency measure; and generally relating to
12 national beer, wine, and liquor exhibition permits.

13 BY repealing and reenacting, with amendments,

14 Article – Alcoholic Beverages

15 Section 2–139

16 Annotated Code of Maryland

17 (2016 Volume and 2016 Supplement)

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

20 **Article – Alcoholic Beverages**

21 2–139.

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 (a) There is a national [family] beer [and], wine, **AND LIQUOR** exhibition permit.

2 (b) The Comptroller may issue the permit to a bona fide[:

3 (1) national family wine association;

4 (2) national family beer association; or

5 (3) national family beer and wine association] **ALCOHOL TRADE**
6 **ASSOCIATION.**

7 (c) (1) The permit authorizes the holder to conduct [a national family beer and
8 wine] **AN ALCOHOL** exhibition and competition at which the permit holder may exhibit,
9 judge, and taste beer [and], wine, **AND LIQUOR** acquired in accordance with this section
10 at the place designated in the permit application.

11 (2) The permit authorizes the holder to receive for use, exhibition, and
12 tastings at an exhibition:

13 (i) tax-free family produced beer and wine;

14 (ii) tax-paid commercially produced[:

15 1.] beer [and], wine, **AND LIQUOR** from licensed nonresident
16 dealers or manufacturers through holders of wholesaler's licenses; [or

17 2. wines from Class 4 wineries;] and

18 (iii) commercially produced beer [and], wine, **AND LIQUOR** from
19 manufacturers or suppliers licensed by another state and subject to the tax imposed under
20 § 5-102 of the Tax – General Article.

21 (3) The permit holder may not sell beer [and], wine, **AND LIQUOR** at the
22 exhibition and competition.

23 (4) Notwithstanding § 6-319 of this article, the permit holder may allow a
24 person to possess and consume beer [and], wine, **AND LIQUOR** on the premises governed
25 by the permit as provided in this section.

26 (d) An exhibition may not last more than 5 days.

27 (e) The permit may be granted for:

28 (1) an unlicensed premises; or

1 (2) a [Class B, Class C, or Class B–D–7] licensed premises.

2 (f) Persons authorized to judge or participate at [a national family beer and wine]
3 **AN ALCOHOL** exhibition include a:

4 (1) manufacturer;

5 (2) nonresident dealer;

6 (3) supplier;

7 (4) wholesaler; and

8 (5) representative of any of the persons listed in items (1) through (4) of
9 this subsection.

10 (g) A supplier licensed by another state is not required to have a nonresident
11 dealer's permit to ship beer [and], wine, **AND LIQUOR** to the permit holder.

12 (h) (1) Within 30 days after the exhibition ends, the permit holder shall:

13 (i) file a report, on the forms that the Comptroller provides, of the
14 number of gallons of commercially produced beer [and], wine, **AND LIQUOR** that the permit
15 holder received from suppliers that are not licensed; and

16 (ii) pay the tax required under § 5–102 of the Tax – General Article.

17 (2) The Comptroller may require the permit holder to prepay an amount
18 sufficient to cover the anticipated tax rather than post a bond.

19 (i) The permit fee is \$50.

20 SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency
21 measure, is necessary for the immediate preservation of the public health or safety, has
22 been passed by a ye and nay vote supported by three–fifths of all the members elected to
23 each of the two Houses of the General Assembly, and shall take effect from the date it is
24 enacted.