

HOUSE BILL 600

A1

4lr2141

By: **Delegates Luedtke, Barkley, Kaiser, and Zucker**

Introduced and read first time: January 30, 2014

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Alcoholic Beverages – Farmers’ Market Permit – Establishment**

3 FOR the purpose of establishing a farmers’ market permit; authorizing the Office of
4 the Comptroller to issue the permit to a holder of a certain license under certain
5 circumstances; requiring the permit holder to provide certain notice to the local
6 licensing board of a certain jurisdiction; specifying the places and times in
7 which a permit holder may use a farmers’ market permit; prohibiting the Office
8 of the Comptroller from issuing more than a certain number of permits for use
9 at each farmers’ market; authorizing a permit holder to take certain actions in
10 connection with the farmers’ market permit; requiring that all wine offered for
11 sale or sampling by the permit holder be the product of a certain class of winery;
12 defining a certain term; and generally relating to the sale and sampling of
13 alcoholic beverages at farmers’ markets.

14 BY adding to

15 Article 2B – Alcoholic Beverages

16 Section 2–101(y)

17 Annotated Code of Maryland

18 (2011 Replacement Volume and 2013 Supplement)

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

21 **Article 2B – Alcoholic Beverages**

22 2–101.

23 **(Y) (1) IN THIS SUBSECTION, “PERMIT” MEANS A FARMERS’ MARKET**
24 **PERMIT.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(2) THERE IS A FARMERS' MARKET PERMIT.**

2 **(3) THE OFFICE OF THE COMPTROLLER MAY ISSUE THE PERMIT**
3 **TO A HOLDER OF A LICENSE:**

4 **(I) OTHER THAN A CLASS 4 LIMITED WINERY LICENSE,**
5 **THAT ALLOWS THE HOLDER TO SELL ALCOHOLIC BEVERAGES TO THE PUBLIC**
6 **FOR CONSUMPTION OFF THE LICENSED PREMISES; AND**

7 **(II) THAT WAS ISSUED BY THE LOCAL LICENSING BOARD OF**
8 **THE JURISDICTION IN WHICH THE FARMERS' MARKET WILL BE HELD.**

9 **(4) THE HOLDER OF A PERMIT SHALL NOTIFY THE LOCAL**
10 **LICENSING BOARD OF THE JURISDICTION IN WHICH THE FARMERS' MARKET**
11 **WILL BE HELD THAT THE PERMIT HAS BEEN ISSUED.**

12 **(5) (I) A PERMIT MAY BE USED ONLY:**

13 **1. AT A FARMERS' MARKET THAT IS LISTED IN THE**
14 **FARMERS' MARKET DIRECTORY OF THE MARYLAND DEPARTMENT OF**
15 **AGRICULTURE;**

16 **2. AT THE FARMERS' MARKET NAMED IN THE**
17 **PERMIT; AND**

18 **3. DURING THE HOURS OF OPERATION OF THE**
19 **FARMERS' MARKET FOR WHICH IT IS OBTAINED.**

20 **(II) THE OFFICE OF THE COMPTROLLER MAY ISSUE NOT**
21 **MORE THAN ONE PERMIT FOR USE AT EACH FARMERS' MARKET.**

22 **(6) A PERMIT AUTHORIZES THE HOLDER TO:**

23 **(I) OCCUPY STALL SPACE AT A FARMERS' MARKET; AND**

24 **(II) SUBJECT TO PARAGRAPH (7) OF THIS SUBSECTION:**

25 **1. OFFER AND SELL SEALED CONTAINERS OF WINE**
26 **TO CONSUMERS FOR CONSUMPTION OFF THE LICENSED PREMISES OF THE**
27 **FARMERS' MARKET; AND**

1 **2. PROVIDE AT NO CHARGE SAMPLES OF WINE NOT**
2 **TO EXCEED 1 FLUID OUNCE PER BRAND TO CONSUMERS FOR CONSUMPTION ON**
3 **THE LICENSED PREMISES OF THE FARMERS' MARKET.**

4 **(7) ALL WINE OFFERED FOR SALE OR SAMPLINGS BY THE PERMIT**
5 **HOLDER SHALL BE THE PRODUCT OF A CLASS 4 LIMITED WINERY.**

6 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
7 July 1, 2014.