

# HOUSE BILL 311

A2

2lr1486

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By: **Washington County Delegation**

Introduced and read first time: January 19, 2022

Assigned to: Economic Matters

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## A BILL ENTITLED

1 AN ACT concerning

2 **Washington County – Alcoholic Beverages Licenses – Class 3 Winery**

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

9 BY repealing and reenacting, without amendments,  
10 Article – Alcoholic Beverages  
11 Section 2–212(b)(1), 2–311(b)(1), and 31–102  
12 Annotated Code of Maryland  
13 (2016 Volume and 2021 Supplement)

14 BY repealing and reenacting, with amendments,  
15 Article – Alcoholic Beverages  
16 Section 31–401  
17 Annotated Code of Maryland  
18 (2016 Volume and 2021 Supplement)

19 BY adding to  
20 Article – Alcoholic Beverages  
21 Section 31–402.2  
22 Annotated Code of Maryland  
23 (2016 Volume and 2021 Supplement)

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

26 **Article – Alcoholic Beverages**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 2–212.

2 (b) (1) The holder of a rectifying or winery license may apply for and obtain a  
3 wholesaler’s license of any class for the same premises or elsewhere as provided under this  
4 article.

5 2–311.

6 (b) (1) The holder of a rectifying or winery license may apply for and obtain a  
7 wholesaler’s license of any class for the same premises or elsewhere as provided under this  
8 article.

9 31–102.

10 This title applies only in Washington County.

11 31–401.

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) § 2–207 (“Class 5 brewery license”);
- 19 (6) § 2–210 (“Class 8 farm brewery license”);
- 20 (7) § 2–211 (“Residency requirement”);
- 21 (8) § 2–212 (“Additional licenses”);
- 22 (9) § 2–213 (“Additional fees”);
- 23 (10) § 2–214 (“Sale or delivery restricted”);
- 24 (11) § 2–216 (“Interaction between manufacturing entities and retailers”);
- 25 (12) § 2–217 (“Distribution of alcoholic beverages — Prohibited practices”);

26 and

1 (13) § 2–218 (“Restrictive agreements between producers and  
2 retailers — Prohibited”).

3 (b) The following sections of Title 2, Subtitle 2 (“Manufacturer’s Licenses”) of  
4 Division I of this article apply in the county:

5 (1) § 2–205 (“Class 3 winery license”), subject to [§ 31–402.1] **§§ 31–402.1**  
6 **AND 31–402.2** of this subtitle;

7 (2) § 2–206 (“Class 4 limited winery license”), subject to § 31–402.1 of this  
8 subtitle;

9 (3) § 2–208 (“Class 6 pub–brewery license”), subject to § 31–403 of this  
10 subtitle;

11 (4) § 2–209 (“Class 7 micro–brewery license”), subject to § 31–404 of this  
12 subtitle; and

13 (5) § 2–215 (“Beer sale on credit to retail dealer prohibited”), subject to §  
14 31–405 of this subtitle.

15 **31–402.2.**

16 (A) **THE BOARD MAY ISSUE A CLASS D BEER AND WINE LICENSE TO A**  
17 **HOLDER OF A CLASS 3 WINERY LICENSE THAT:**

18 (1) **HELD A CLASS 4 LIMITED WINERY LICENSE PRIOR TO MAY 31,**  
19 **2018; AND**

20 (2) **PRODUCES LESS THAN 30,000 GALLONS ANNUALLY.**

21 (B) **THE HOLDER MAY SELL ONLY WINE THAT THE HOLDER PRODUCES**  
22 **UNDER ITS OWN LABEL FOR ON– AND OFF–PREMISES CONSUMPTION.**

23 (C) **THE LICENSE MAY NOT BE TRANSFERRED TO ANOTHER OWNER OR FOR**  
24 **USE ON ANY OTHER PREMISES.**

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
26 1, 2022.