$m A2 \qquad \qquad 5lr2000 \ CF~HB~685$

By: Senator McKay

Introduced and read first time: January 28, 2025

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2

Garrett County Alcoholic Beverages Act of 2025

3 FOR the purpose of establishing certain deluxe complex restaurant and resort complex beer and wine and beer, wine, and liquor licenses in Garrett County; requiring the Board 4 5 of License Commissioners for Garrett County to hold a hearing for the issuance of 6 certain festival licenses and altering certain notice requirements for the hearing; 7 requiring certain festival license applicants to apply to the Board in a certain 8 manner; clarifying the entities to which the Board may issue certain multiple day 9 and multiple event licenses; and generally relating to alcoholic beverages in Garrett 10 County.

- 11 BY repealing and reenacting, without amendments,
- 12 Article Alcoholic Beverages and Cannabis
- 13 Section 21–102
- 14 Annotated Code of Maryland
- 15 (2024 Replacement Volume)
- 16 BY adding to
- 17 Article Alcoholic Beverages and Cannabis
- 18 Section 21–804.1, 21–903.1, 21–1002.3, and 21–1002.4
- 19 Annotated Code of Maryland
- 20 (2024 Replacement Volume)
- 21 BY repealing and reenacting, with amendments,
- 22 Article Alcoholic Beverages and Cannabis
- 23 Section 21–1304, 21–1304.1, 21–1304.2, 21–1304.3, 21–1305, 21–1309, and 21–1310
- 24 Annotated Code of Maryland
- 25 (2024 Replacement Volume)

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

27 That the Laws of Maryland read as follows:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1	Article - Alcoholic Beverages and Cannabis
2	21–102.
3	This title applies only in Garrett County.
4	21-804.1.
5 6	(A) THERE IS A CLASS BDR-DC (DELUXE COMPLEX RESTAURANT) BEER AND WINE LICENSE.
7	(B) THE LICENSE MAY BE ISSUED TO A HOLDER OF:
8 9	(1) ANY CLASS B ALCOHOLIC BEVERAGES LICENSE ISSUED BY THE BOARD; OR
10 11	(2) AN EQUIVALENT LICENSE THAT THE LOCAL LICENSING BOARD OF A DIFFERENT JURISDICTION ISSUES ONLY FOR USE BY A RESTAURANT.
12 13	(C) (1) THE BOARD MAY ISSUE THE LICENSE FOR USE BY A DELUXE COMPLEX RESTAURANT, AS DEFINED IN THE REGULATIONS OF THE BOARD, THAT:
14	(I) HAS SEATING FOR AT LEAST 20 INDIVIDUALS; AND
15 16	(II) HAS A MINIMUM CAPITAL INVESTMENT OF \$25,000 FOR THE RESTAURANT FACILITIES, NOT INCLUDING THE COST OF LAND OR BUILDINGS.
17 18 19 20	(2) IF THE APPLICANT PURCHASES OR LEASES AN EXISTING BUILDING, THE CAPITAL INVESTMENT ATTRIBUTABLE TO THE COST OF THE LAND AND IMPROVEMENTS SHALL BE BASED ON THE ASSESSED VALUE OF THE LAND AND IMPROVEMENTS IN ACCORDANCE WITH THE RECORDS OF THE STATE DEPARTMENT
21	OF ASSESSMENTS AND TAXATION AT THE TIME OF PURCHASE.
22 23	(3) THE LICENSE AUTHORIZES THE LICENSE HOLDER TO SELL, AT RETAIL, AT THE PLACE DESCRIBED IN THE LICENSE:
24	(I) BEER AND WINE FOR ON-PREMISES CONSUMPTION; AND
25	(II) BEER FOR OFF-PREMISES CONSUMPTION.
26	(D) (1) THE BOARD MAY ISSUE THE LICENSE WITH A CATERING OPTION.

- 1 (2) IN ADDITION TO EXERCISING THE PRIVILEGES STATED IN
- 2 SUBSECTION (C)(3) OF THIS SECTION, A HOLDER OF A LICENSE WITH A CATERING
- 3 OPTION MAY SELL BEER AND WINE FOR CONSUMPTION AT EVENTS THAT THE
- 4 LICENSE HOLDER CATERS OFF THE LICENSED PREMISES.
- 5 (3) TO EXERCISE THE CATERING OPTION, THE LICENSE HOLDER
- 6 SHALL PROVIDE FOOD AT THE CATERED EVENT.
- 7 (4) THE LICENSE HOLDER MAY EXERCISE THE CATERING OPTION
- 8 ONLY DURING THE HOURS AND DAYS THAT THE BOARD ALLOWS.
- 9 (E) THE ANNUAL LICENSE FEES ARE:
- 10 **(1)** \$500 FOR A 6-DAY LICENSE WITHOUT A CATERING OPTION;
- 11 (2) \$625 FOR A 6-DAY LICENSE WITH A CATERING OPTION;
- 12 (3) \$585 FOR A 7-DAY LICENSE WITHOUT A CATERING OPTION; AND
- 13 (4) \$710 FOR A 7-DAY LICENSE WITH A CATERING OPTION.
- 14 (F) THE BOARD SHALL:
- 15 (1) CHARGE A ONE-TIME ISSUING FEE FOR A NEW LICENSE IN AN
- 16 AMOUNT EQUAL TO THE ANNUAL LICENSE FEE; AND
- 17 (2) ADOPT REGULATIONS TO CARRY OUT THIS SECTION.
- 18 **21–903.1.**
- 19 (A) THERE IS A CLASS BDR-DC (DELUXE COMPLEX RESTAURANT) BEER,
- 20 WINE, AND LIQUOR LICENSE.
- 21 (B) THE BOARD MAY ISSUE THE LICENSE TO A HOLDER OF:
- 22 (1) ANY CLASS B ALCOHOLIC BEVERAGES LICENSE ISSUED BY THE
- 23 BOARD; OR
- 24 (2) AN EQUIVALENT LICENSE THAT THE LOCAL LICENSING BOARD OF
- 25 A DIFFERENT JURISDICTION ISSUES ONLY FOR USE BY A RESTAURANT.
- 26 (C) (1) THE BOARD MAY ISSUE THE LICENSE FOR USE BY A DELUXE
- 27 COMPLEX RESTAURANT, AS DEFINED IN THE REGULATIONS OF THE BOARD, WITH:

- 1 (I) SEATING AT TABLES, NOT INCLUDING SEATS AT BARS OR 2 COUNTERS, FOR AT LEAST 20 INDIVIDUALS; AND
- 3 (II) A CAPITAL INVESTMENT OF AT LEAST \$250,000 FOR THE 4 RESTAURANT FACILITIES, NOT INCLUDING THE COST OF LAND OR BUILDINGS.
- 5 (2) IF AN APPLICANT PURCHASES OR LEASES AN EXISTING BUILDING,
- 6 THE CAPITAL INVESTMENT ATTRIBUTABLE TO THE COST OF THE LAND AND
- 7 IMPROVEMENTS SHALL BE BASED ON THE ASSESSED VALUE OF THE LAND AND
- 8 IMPROVEMENTS IN ACCORDANCE WITH THE RECORDS OF THE STATE DEPARTMENT
- 9 OF ASSESSMENTS AND TAXATION AT THE TIME OF PURCHASE OR LEASE.
- 10 (3) THE LICENSE AUTHORIZES THE LICENSE HOLDER TO SELL, AT 11 RETAIL, AT THE PLACE DESCRIBED IN THE LICENSE:
- 12 (I) BEER, WINE, AND LIQUOR FOR ON-PREMISES 13 CONSUMPTION; AND
- 14 (II) BEER FOR OFF-PREMISES CONSUMPTION.
- 15 (D) (1) A LICENSE HOLDER OF A CLASS BDR-DC (DELUXE COMPLEX
- 16 RESTAURANT) LICENSE MAY ACQUIRE A CATERING OPTION THAT AUTHORIZES THE
- 17 LICENSE HOLDER TO SELL BEER, WINE, AND LIQUOR FOR CONSUMPTION AT EVENTS
- 18 CATERED BY THE LICENSE HOLDER IN THE COUNTY OFF THE LICENSED PREMISES.
- 19 (2) A LICENSE HOLDER PROVIDING ALCOHOLIC BEVERAGES AT A 20 CATERED EVENT OFF THE LICENSED PREMISES SHALL ALSO PROVIDE FOOD.
- 21 (3) THE LICENSE HOLDER MAY EXERCISE CATERING PRIVILEGES
- 22 ONLY DURING HOURS AND DAYS THAT ARE AUTHORIZED UNDER THE CLASS B
- 23 LICENSE.
- 24 (E) THE ANNUAL LICENSE FEES ARE:
- 25 (1) \$2,250 FOR A 6-DAY LICENSE WITHOUT A CATERING OPTION;
- 26 (2) \$2,750 FOR A 6-DAY LICENSE WITH A CATERING OPTION;
- 27 (3) \$2,625 FOR A 7-DAY LICENSE WITHOUT A CATERING OPTION; AND
- 28 (4) \$3,125 FOR A 7-DAY LICENSE WITH A CATERING OPTION.

1	(F)	THE BOARD SHALL:
2 3	AMOUNT E	(1) CHARGE A ONE-TIME ISSUING FEE FOR A NEW LICENSE IN AN QUAL TO THE ANNUAL LICENSE FEE; AND
4		(2) ADOPT REGULATIONS TO CARRY OUT THIS SECTION.
5	21–1002.3.	
6	(A)	THERE IS A CLASS BRC-RESORT COMPLEX BEER AND WINE LICENSE.
7 8	(B) COMPLEX T	THE BOARD MAY ISSUE THE LICENSE TO A LICENSE HOLDER FOR A HAT HAS AT LEAST TWO FACILITIES THAT ARE:
9		(1) LOCATED ON THE SAME CONTIGUOUS PROPERTY;
10 11	LICENSED 1	(2) SEPARATED BY AT LEAST 150 FEET FROM THE MAIN AREA OF THE PREMISES; AND
12 13	RECREATIO	(3) DETERMINED BY THE BOARD TO BE HOTEL, MOTEL, NAL, OR RESTAURANT FACILITIES.
14 15 16	•	THE LICENSE AUTHORIZES THE LICENSE HOLDER TO SELL AT A HOTEL, CREATIONAL, OR RESTAURANT FACILITY AT RETAIL AT THE PLACE IN THE LICENSE:
17		(1) BEER AND WINE FOR ON-PREMISES CONSUMPTION; AND
18		(2) BEER FOR OFF-PREMISES CONSUMPTION.
19 20 21	(D) AND DAYS A OF THIS TIT	THE LICENSE HOLDER MAY SELL BEER AND WINE DURING THE HOURS AS SET OUT FOR A CLASS B BEER AND WINE LICENSE UNDER § $21-2003$ LE.
22	(E)	THE ANNUAL LICENSE FEES ARE:
23		(1) \$700 FOR A 6-DAY LICENSE FOR TWO FACILITIES;
24		(2) \$350 FOR EACH ADDITIONAL FACILITY FOR A 6-DAY LICENSE;
25		(3) \$820 FOR A 7-DAY LICENSE FOR TWO FACILITIES; AND

\$410 FOR EACH ADDITIONAL FACILITY FOR A 7-DAY LICENSE.

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(4)

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(3)

1	(F)	THE BOARD SHALL:
2 3	AMOUNT E	(1) CHARGE A ONE-TIME ISSUING FEE FOR A NEW LICENSE IN AN QUAL TO THE ANNUAL LICENSE FEE; AND
4		(2) ADOPT REGULATIONS TO CARRY OUT THIS SECTION.
5	21-1002.4.	
6 7	(A) LICENSE.	THERE IS A CLASS BRC-RESORT COMPLEX BEER, WINE, AND LIQUOR
8	(B) COMPLEX T	THE BOARD MAY ISSUE THE LICENSE TO A LICENSE HOLDER FOR A THAT HAS AT LEAST TWO FACILITIES THAT ARE:
0		(1) LOCATED ON THE SAME CONTIGUOUS PROPERTY;
11	LICENSED	(2) SEPARATED BY AT LEAST 150 FEET FROM THE MAIN AREA OF THE PREMISES; AND
13 14	RECREATION	(3) DETERMINED BY THE BOARD TO BE HOTEL, MOTEL, DNAL, OR RESTAURANT FACILITIES.
15 16 17	•	THE LICENSE AUTHORIZES THE LICENSE HOLDER TO SELL AT A HOTEL, ECREATIONAL, OR RESTAURANT FACILITY AT RETAIL AT THE PLACE D IN THE LICENSE:
18		(1) BEER, WINE, AND LIQUOR FOR ON-PREMISES CONSUMPTION; AND
9		(2) BEER FOR OFF-PREMISES CONSUMPTION.
20 21 22		The license holder may sell beer, wine, and liquor during the d days as set out for a Class B beer, wine, and liquor license 12004 of this title.
23	(E)	THE ANNUAL LICENSE FEES ARE:
24		(1) \$3,000 FOR A 6-DAY LICENSE FOR TWO FACILITIES;
) 5		(9) \$1.500 EOD EACH ADDITIONAL EACH ITY FOR A & DAY LICENSE.

 $\$3,\!500$ for a 7-day license for two facilities; and

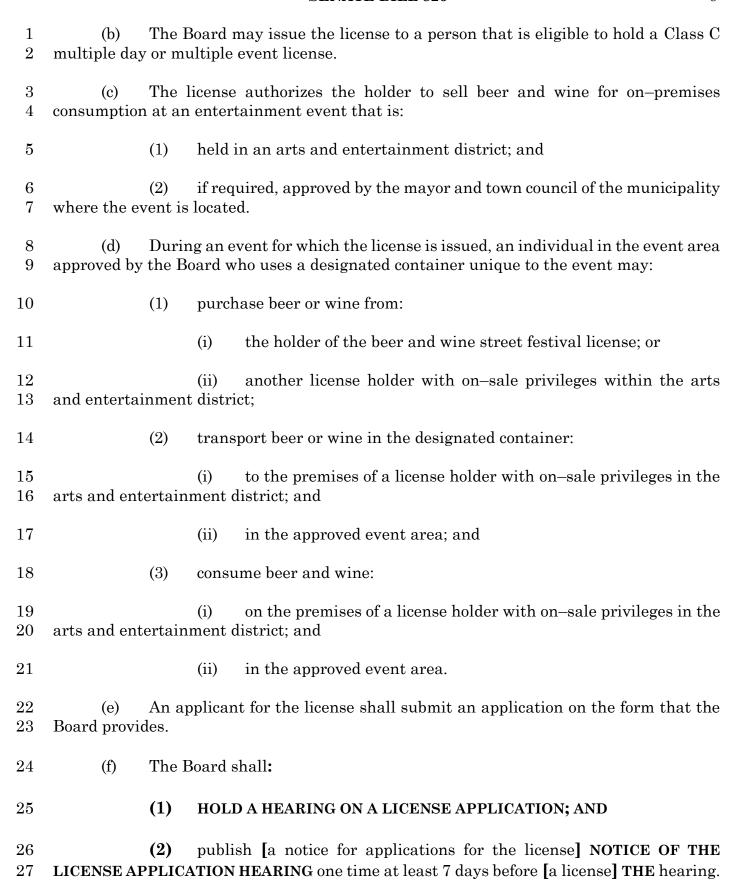
1		(4)	\$1,750 FOR EACH ADDITIONAL FACILITY FOR A 7-DAY LICENSE.
2	(F)	THE	BOARD SHALL:
3 4	AMOUNT E	(1) QUAL '	CHARGE A ONE-TIME ISSUING FEE FOR A NEW LICENSE IN AN TO THE ANNUAL LICENSE FEE; AND
5		(2)	ADOPT REGULATIONS TO CARRY OUT THIS SECTION.
6	21–1304.		
7	(a)	(1)	There is a beer festival license.
8 9	year.	(2)	The Board may issue not more than four beer festival licenses each
10 11	ON THE FOI	(3) RM TH	AN APPLICANT FOR THE LICENSE SHALL SUBMIT AN APPLICATION IAT THE BOARD PROVIDES.
12	(b)	The I	Board may issue the license to a holder of:
13		(1)	a retail license issued by the Board;
14		(2)	a Class 5 brewery license;
15		(3)	a Class 6 pub–brewery license;
16		(4)	a Class 7 micro–brewery license;
17		(5)	a Class 8 farm brewery license; or
18 19	license.	(6)	a person that is eligible to hold a Class C multiple day or multiple event
20	(c)	The l	icense authorizes the holder to display and sell beer that is:
21		(1)	manufactured and processed in any state; and
22		(2)	distributed in the State when the license application is filed.
23	(d)	A lice	ense holder may display and sell beer:
24		(1)	at retail for on- and off-premises consumption; and
25		(2)	during the hours and days designated for a beer festival.

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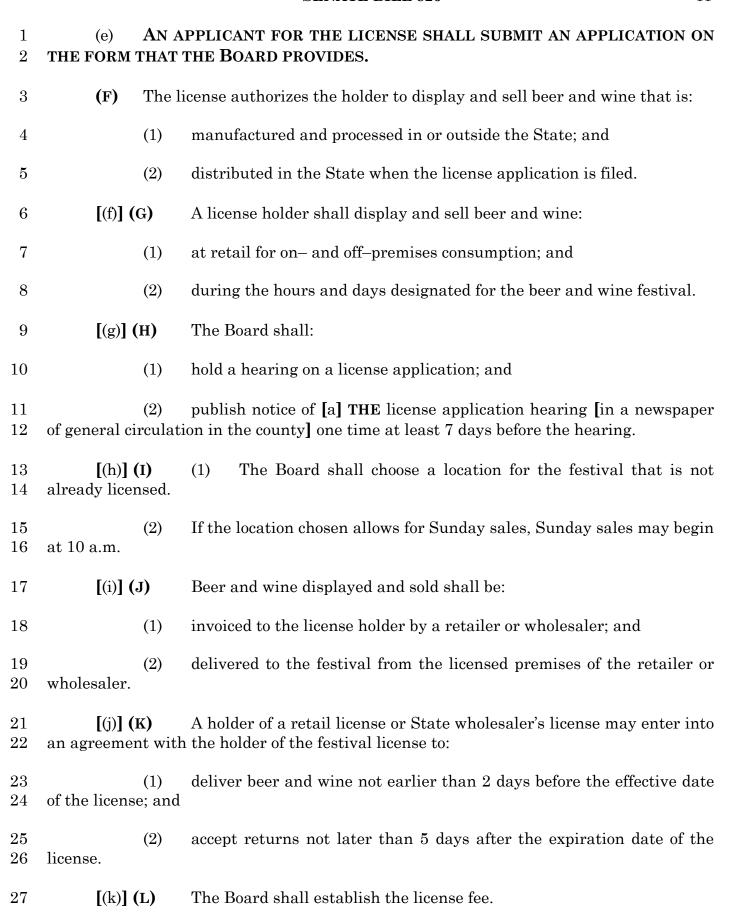
(a)

1 (e) The Board shall [choose]: 2 (1) HOLD A HEARING ON A LICENSE APPLICATION; 3 **(2)** PUBLISH NOTICE OF THE LICENSE APPLICATION HEARING ONE 4 TIME AT LEAST 7 DAYS BEFORE THE HEARING; 5 **(3)** CHOOSE a fixed period of time for the festival of up to 3 consecutive 6 days, excluding Sunday; and 7 [(2)] **(4) CHOOSE** a location that is not already licensed. 8 Notwithstanding subsection (e)(1) of this section, a holder of a beer festival (f) 9 license issued for a location at which Sunday sales are allowed under § 21–2002(e) of this 10 title may make Sunday sales beginning at 10 a.m. 11 Beer displayed and sold shall be: (g) 12 invoiced to the license holder by a wholesaler or holder of a Class 5 brewery license, Class 6 pub-brewery license, Class 7 micro-brewery license, or Class 8 13 farm brewery license; and 14 15 (2)delivered to the beer festival from the licensed premises of the 16 wholesaler. (h) A holder of a State wholesaler's license, a Class 5 brewery license, a Class 6 17 pub-brewery license, a Class 7 micro-brewery license, or a Class 8 farm brewery license 18 may enter into an agreement with the license holder to: 19 20 deliver beer not earlier than 2 days before the effective date of the (1) 21license; and 22(2)accept returns not later than 2 days after the expiration date of the license. 2324(i) A person may hold a beer festival license in addition to another license. 25(j) The Board shall set the fee. The Board shall adopt regulations to carry out this section. 26(k) 27 21-1304.1.

There is a Class C beer and wine street festival license.

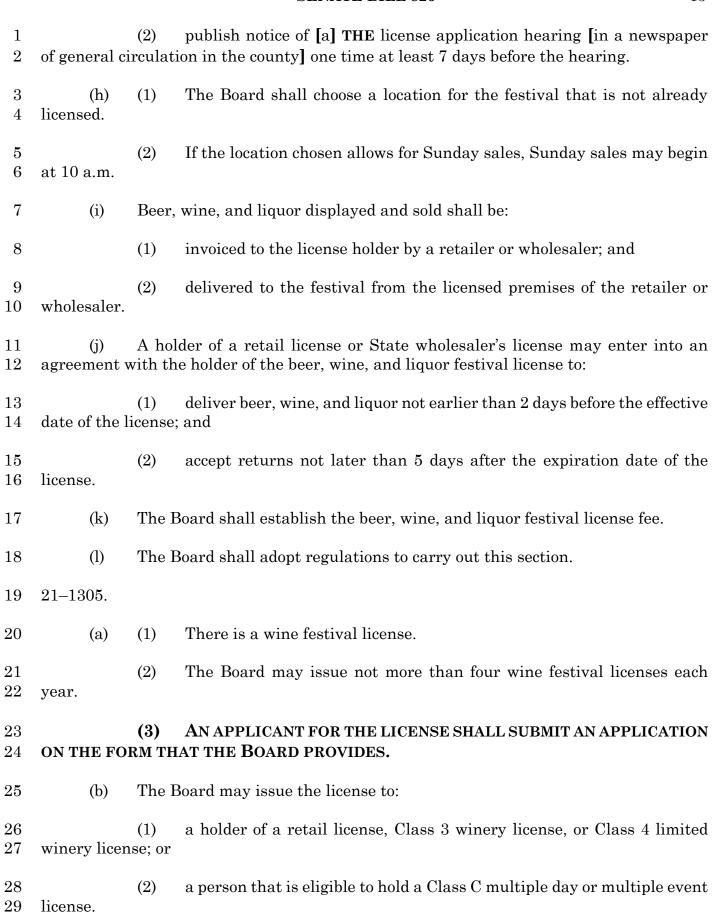


- 1 A license holder may purchase beer and wine from a holder of a retail or (g) 2 wholesaler's license. 3 (h) The license holder: 4 shall distribute a wristband to each individual who is at least 21 years (1) old at the event for which the license is issued; and 5 6 may not serve beer or wine to an individual who does not wear a (2)7 wristband. The organization for which the license is issued shall ensure that at least one 8 (i) 9 server who is certified by an approved alcohol awareness program is on the premises when 10 alcoholic beverages are served. 11 (j) The license holder may hold another license of a different class or nature. 12(k) The license may be used for a maximum of 26 days in a calendar year. 13 (l) The license fee is \$50 per day. 14 (M) THE BOARD SHALL ADOPT REGULATIONS TO CARRY OUT THIS SECTION. 15 21-1304.2.16 (a) (1) In this section the following words have the meanings indicated. "Festival" means the Garrett County Beer and Wine Festival. 17 (2) 18 (3)"Festival organization" means a nonprofit organization that is chosen by the county in accordance with subsection (c) of this section to organize a festival. 19 20 (b) (1) There is a Garrett County Beer and Wine Festival. Under the supervision of the Board, the festival organization may 2122conduct the Festival annually for a fixed period of time of up to 3 consecutive days. 23 In selecting a nonprofit organization to be a festival organization, the 24 county shall ensure that the nonprofit organization has extensive experience in organizing 25and managing large-scale public events.
- 26 (2) The Board may issue not more than four beer and wine festival licenses 27 each year.
- 28 (d) The Board may issue the license to a holder of a retail license or a person that 29 is eligible to hold a Class C multiple day or multiple event license.



SENATE BILL 826

1	[(l)] (M)		The Board shall adopt regulations to carry out this section.
2	21–1304.3.		
3	(a)	(1)	In this section the following words have the meanings indicated.
4		(2)	"Festival" means the Garrett County Beer, Wine, and Liquor Festival.
5 6	by the count	(3) cy in a	"Festival organization" means a nonprofit organization that is chosen ccordance with subsection (c) of this section to organize a festival.
7	(b)	(1)	There is a beer, wine, and liquor festival license.
8 9	conduct the	(2) festiv	Under the supervision of the Board, the festival organization may al annually for a fixed period of time of up to 3 consecutive days.
10 11 12			In selecting a nonprofit organization to be a festival organization, the re that the nonprofit organization has extensive experience in organizing ge—scale public events.
13 14	licenses eacl	(2) h year	The Board may issue not more than four beer, wine, and liquor festival
15 16 17	(d) holder of a multiple eve		The Board may issue the beer, wine, and liquor festival license to a license or a person that is eligible to hold a Class C multiple day or ense.
18 19	ON THE FO	(2) RM TH	AN APPLICANT FOR THE LICENSE SHALL SUBMIT AN APPLICATION HAT THE BOARD PROVIDES.
20 21	(e) liquor that i		license authorizes the license holder to display and sell beer, wine, and
22		(1)	manufactured and processed in or outside the State; and
23		(2)	distributed in the State when the license application is filed.
24	(f)	A lice	ense holder shall display and sell beer, wine, and liquor:
25		(1)	at retail for on– and off–premises consumption; and
26		(2)	during the hours and days designated for the festival.
27	(g)	The l	Board shall:
28		(1)	hold a hearing on a license application; and



SENATE BILL 826

1	(c)	The license authorizes the holder to display and sell wine that is:
2		(1) manufactured and processed in any state; and
3		(2) distributed in the State when the license application is filed.
4	(d)	A license holder shall display and sell wine:
5		(1) at retail for on- and off-premises consumption; and
6		(2) during the hours and days designated for the wine festival.
7	(e)	The Board shall:
8		(1) hold a hearing on each license application; and
9 10	of general ci	(2) publish notice of [a] THE license application hearing [in a newspaper reulation in the county] one time at least 7 days before the hearing.
11 12	(f) choose up to	(1) Subject to paragraph (3) of this subsection, each year the Board shall 3 consecutive days for the wine festival.
13		(2) The Board shall choose a location that is not already licensed.
14		(3) A day chosen for the wine festival may not:
15		(i) be a Sunday; or
16 17	Carroll Cour	(ii) fall on the same weekend as the Maryland Wine Festival in nty.
18 19 20	(g) license issue beginning a	Notwithstanding subsection (f)(3)(i) of this section, a holder of a wine festival ed for use in a location where Sunday sales are allowed may make Sunday sales t 10 a.m.
21	(h)	Wine displayed and sold shall be:
22 23	4 limited wi	(1) invoiced to the license holder by a wholesaler, Class 3 winery, or Class nery; and
24 25	wholesaler,	(2) delivered to the wine festival from the licensed premises of the Class 3 winery, or Class 4 limited winery.
26 27	(i) may enter in	A holder of a State wholesale, Class 3 winery, or Class 4 limited winery license nto an agreement with the license holder to:

- 1 (1) deliver wine not earlier than 2 days before the effective date of the 2 license; and
- 3 (2) accept returns not later than 5 days after the expiration date of the 4 license.
- 5 (j) The Board shall establish the license fee.
- 6 (k) The Board shall adopt regulations to carry out this section.
- 7 21–1309.
- 8 (a) The Board may issue a Class C multiple day beer license, beer and wine 9 license, and beer, wine, and liquor license to a [club] **NONPROFIT ORGANIZATION** for the 10 following fees and license types:
- 11 (1) \$50 for a 2-day license;
- 12 (2) \$150 for a 6-day license; and
- 13 (3) \$300 for a 12-day license.
- 14 (b) The license holder may hold another license issued by the Board that is of a different class or nature.
- 16 (c) The Board is not required to hold a hearing before issuing a license under this section if a license holder anticipates attendance of fewer than 500 individuals at an event.
- 18 21–1310.
- 19 (a) The Board may issue a multiple event license to a [club] NONPROFIT 20 ORGANIZATION that qualifies for a Class C multiple day license.
- 21 (b) The Board may not issue more than one multiple event license to a [club] 22 NONPROFIT ORGANIZATION in a license year.
- 23 (c) The license holder may hold another license issued by the Board that is of a different class or nature.
- 25 (d) (1) The Board shall publish a notice for application for the license one time 26 at least 7 days before a license hearing.
- 27 (2) A license holder shall notify the Board in writing at least 7 days before 28 an event for which the license is to be used.

SENATE BILL 826

- The [club] NONPROFIT ORGANIZATION for which a multiple event license is 1 (e) 2 issued shall ensure that at least one server who is certified by an approved alcohol 3 awareness program is on the premises when alcoholic beverages are served. 4 (f) The [club] NONPROFIT ORGANIZATION for which a multiple event license is 5 issued may cater functions on their premises. 6 (g) The fee for a Class C multiple event license is: \$125 for not more than 5 events per year; 7 (1) \$250 for not more than 12 events per year; 8 (2)9 \$375 for not more than 18 events per year; and (3)\$500 for not more than 24 events per year. 10 (4)
- SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2025.