

HOUSE BILL 685

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By: **Delegate Hinebaugh**

Introduced and read first time: January 24, 2025

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Garrett County Alcoholic Beverages Act of 2025**

3 FOR the purpose of requiring the Board of License Commissioners for Garrett County to
4 adopt certain regulations; requiring a Board hearing for the issuance of certain
5 festival licenses and altering certain notice requirements for the hearing; requiring
6 certain festival license applicants to apply to the Board in a certain manner;
7 clarifying the entities to which the Board may issue certain multiple day and
8 multiple event licenses; establishing the Class BC–resort beer, wine, and liquor
9 license to apply to premises located on property of a certain minimum size; and
10 generally relating to alcoholic beverages in Garrett County.

11 BY repealing and reenacting, without amendments,
12 Article – Alcoholic Beverages and Cannabis
13 Section 21–102, 21–804(a), 21–903(a), 21–1002.1(a), and 21–1002.2(a)
14 Annotated Code of Maryland
15 (2024 Replacement Volume)

16 BY repealing and reenacting, with amendments,
17 Article – Alcoholic Beverages and Cannabis
18 Section 21–804(f), 21–903(f), 21–1002.1(f), 21–1002.2(f), 21–1304, 21–1304.1,
19 21–1304.2, 21–1304.3, 21–1305, 21–1309, and 21–1310
20 Annotated Code of Maryland
21 (2024 Replacement Volume)

22 BY adding to
23 Article – Alcoholic Beverages and Cannabis
24 Section 21–1002.3
25 Annotated Code of Maryland
26 (2024 Replacement Volume)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

Article – Alcoholic Beverages and Cannabis

21–102.

This title applies only in Garrett County.

21–804.

(a) There is a Class BDR (deluxe restaurant) beer and wine license.

(f) The Board shall:

(1) charge a one–time issuing fee for a new license in an amount equal to
the annual license fee; AND

(2) ADOPT REGULATIONS TO CARRY OUT THIS SECTION.

21–903.

(a) There is a Class BDR (deluxe restaurant) beer, wine, and liquor license.

(f) The Board shall:

(1) charge a one–time issuing fee for a new license in an amount equal to
the annual license fee; AND

(2) ADOPT REGULATIONS TO CARRY OUT THIS SECTION.

21–1002.1.

(a) There is a Class B–resort beer and wine license.

(f) The Board shall:

(1) charge a one–time issuing fee for a new license in an amount equal to
the annual license fee; AND

(2) ADOPT REGULATIONS TO CARRY OUT THIS SECTION.

21–1002.2.

(a) There is a Class B–resort beer, wine, and liquor license.

(f) The Board shall:

(1) charge a one-time issuing fee for a new license in an amount equal to the annual license fee; AND

(2) ADOPT REGULATIONS TO CARRY OUT THIS SECTION.

21-1002.3.

(A) THERE IS A CLASS BC-RESORT BEER, WINE, AND LIQUOR LICENSE.

(B) THE BOARD MAY ISSUE THE LICENSE TO A LICENSE HOLDER FOR A COMPLEX THAT HAS AT LEAST TWO FACILITIES THAT ARE:

(1) LOCATED ON THE SAME CONTIGUOUS PROPERTY THAT IS AT LEAST 20 ACRES IN SIZE;

(2) SEPARATED BY AT LEAST 150 FEET FROM THE MAIN AREA OF THE LICENSED PREMISES; AND

(3) DETERMINED BY THE BOARD TO BE HOTEL, MOTEL, RECREATIONAL, OR RESTAURANT FACILITIES.

(C) THE LICENSE AUTHORIZES THE LICENSE HOLDER TO SELL AT A HOTEL, MOTEL, RECREATIONAL, OR RESTAURANT FACILITY AT RETAIL AT THE PLACE DESCRIBED IN THE LICENSE:

(1) BEER, WINE, AND LIQUOR FOR ON-PREMISES CONSUMPTION; AND

(2) BEER FOR OFF-PREMISES CONSUMPTION.

(D) THE LICENSE HOLDER MAY SELL BEER, WINE, AND LIQUOR DURING THE HOURS AND DAYS AS SET OUT FOR A CLASS B BEER, WINE, AND LIQUOR LICENSE UNDER § 21-2004 OF THIS TITLE.

(E) THE ANNUAL LICENSE FEES ARE:

(1) \$3,000 FOR A 6-DAY LICENSE FOR TWO FACILITIES;

(2) \$1,500 FOR EACH ADDITIONAL FACILITY FOR A 6-DAY LICENSE;

(3) \$3,500 FOR A 7-DAY LICENSE FOR TWO FACILITIES; AND

(4) \$1,750 FOR EACH ADDITIONAL FACILITY FOR A 7-DAY LICENSE.

(F) THE BOARD SHALL:

(1) CHARGE A ONE-TIME ISSUING FEE FOR A NEW LICENSE IN AN AMOUNT EQUAL TO THE ANNUAL LICENSE FEE; AND

(2) ADOPT REGULATIONS TO CARRY OUT THIS SECTION.

21-1304.

(a) (1) There is a beer festival license.

(2) The Board may issue not more than four beer festival licenses each year.

(3) AN APPLICANT FOR THE LICENSE SHALL SUBMIT AN APPLICATION ON THE FORM THAT THE BOARD PROVIDES.

(b) The Board may issue the license to a holder of:

(1) a retail license issued by the Board;

(2) a Class 5 brewery license;

(3) a Class 6 pub-brewery license;

(4) a Class 7 micro-brewery license;

(5) a Class 8 farm brewery license; or

(6) a person that is eligible to hold a Class C multiple day or multiple event license.

(c) The license authorizes the holder to display and sell beer that is:

(1) manufactured and processed in any state; and

(2) distributed in the State when the license application is filed.

(d) A license holder may display and sell beer:

(1) at retail for on- and off-premises consumption; and

(2) during the hours and days designated for a beer festival.

(e) The Board shall [choose]:

(1) HOLD A HEARING ON A LICENSE APPLICATION;

(2) PUBLISH NOTICE OF THE LICENSE APPLICATION HEARING ONE TIME AT LEAST 7 DAYS BEFORE THE HEARING;

[(1)] (3) CHOOSE a fixed period of time for the festival of up to 3 consecutive days, excluding Sunday; and

[(2)] (4) CHOOSE a location that is not already licensed.

(f) Notwithstanding subsection (e)(1) of this section, a holder of a beer festival license issued for a location at which Sunday sales are allowed under § 21–2002(e) of this title may make Sunday sales beginning at 10 a.m.

(g) Beer displayed and sold shall be:

(1) 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 farm brewery license; and

(2) delivered to the beer festival from the licensed premises of the wholesaler.

(h) A holder of a State wholesaler’s license, a Class 5 brewery license, a Class 6 pub–brewery license, a Class 7 micro–brewery license, or a Class 8 farm brewery license may enter into an agreement with the license holder to:

(1) deliver beer not earlier than 2 days before the effective date of the license; and

(2) accept returns not later than 2 days after the expiration date of the license.

(i) A person may hold a beer festival license in addition to another license.

(j) The Board shall set the fee.

(k) The Board shall adopt regulations to carry out this section.

21–1304.1.

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

(b) The Board may issue the license to a person that is eligible to hold a Class C multiple day or multiple event license.

(c) The license authorizes the holder to sell beer and wine for on-premises consumption at an entertainment event that is:

(1) held in an arts and entertainment district; and

(2) if required, approved by the mayor and town council of the municipality where the event is located.

(d) During an event for which the license is issued, an individual in the event area approved by the Board who uses a designated container unique to the event may:

(1) purchase beer or wine from:

(i) the holder of the beer and wine street festival license; or

(ii) another license holder with on-sale privileges within the arts and entertainment district;

(2) transport beer or wine in the designated container:

(i) to the premises of a license holder with on-sale privileges in the arts and entertainment district; and

(ii) in the approved event area; and

(3) consume beer and wine:

(i) on the premises of a license holder with on-sale privileges in the arts and entertainment district; and

(ii) in the approved event area.

(e) An applicant for the license shall submit an application on the form that the Board provides.

(f) The Board shall:

(1) HOLD A HEARING ON A LICENSE APPLICATION; AND

(2) publish [a notice for applications for the license] NOTICE OF THE LICENSE APPLICATION HEARING one time at least 7 days before [a license] THE hearing.

(g) A license holder may purchase beer and wine from a holder of a retail or wholesaler's license.

(h) The license holder:

(1) shall distribute a wristband to each individual who is at least 21 years old at the event for which the license is issued; and

(2) may not serve beer or wine to an individual who does not wear a wristband.

(i) The organization for which the license is issued shall ensure that at least one server who is certified by an approved alcohol awareness program is on the premises when alcoholic beverages are served.

(j) The license holder may hold another license of a different class or nature.

(k) The license may be used for a maximum of 26 days in a calendar year.

(l) The license fee is \$50 per day.

(M) THE BOARD SHALL ADOPT REGULATIONS TO CARRY OUT THIS SECTION.

21-1304.2.

(a) (1) In this section the following words have the meanings indicated.

(2) "Festival" means the Garrett County Beer and Wine Festival.

(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.

(b) (1) There is a Garrett County Beer and Wine Festival.

(2) Under the supervision of the Board, the festival organization may conduct the Festival annually for a fixed period of time of up to 3 consecutive days.

(c) (1) In selecting a nonprofit organization to be a festival organization, the county shall ensure that the nonprofit organization has extensive experience in organizing and managing large-scale public events.

(2) The Board may issue not more than four beer and wine festival licenses each year.

(d) The Board may issue the license to a holder of a retail license or a person that is eligible to hold a Class C multiple day or multiple event license.

(e) **AN APPLICANT FOR THE LICENSE SHALL SUBMIT AN APPLICATION ON THE FORM THAT THE BOARD PROVIDES.**

(F) The license authorizes the holder to display and sell beer and wine that is:

(1) manufactured and processed in or outside the State; and

(2) distributed in the State when the license application is filed.

[(f)] (G) A license holder shall display and sell beer and wine:

(1) at retail for on- and off-premises consumption; and

(2) during the hours and days designated for the beer and wine festival.

[(g)] (H) The Board shall:

(1) hold a hearing on a license application; and

(2) publish notice of **[a] THE** license application hearing **[in a newspaper of general circulation in the county]** one time at least 7 days before the hearing.

[(h)] (I) (1) The Board shall choose a location for the festival that is not already licensed.

(2) If the location chosen allows for Sunday sales, Sunday sales may begin at 10 a.m.

[(i)] (J) Beer and wine displayed and sold shall be:

(1) invoiced to the license holder by a retailer or wholesaler; and

(2) delivered to the festival from the licensed premises of the retailer or wholesaler.

[(j)] (K) A holder of a retail license or State wholesaler's license may enter into an agreement with the holder of the festival license to:

(1) deliver beer and wine not earlier than 2 days before the effective date of the license; and

(2) accept returns not later than 5 days after the expiration date of the license.

[(k)] (L) The Board shall establish the license fee.

1 [(1)] (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 (3) “Festival organization” means a nonprofit organization that is chosen
6 by the county in accordance with subsection (c) of this section to organize a festival.

7 (b) (1) There is a beer, wine, and liquor festival license.

8 (2) Under the supervision of the Board, the festival organization may
9 conduct the festival annually for a fixed period of time of up to 3 consecutive days.

10 (c) (1) In selecting a nonprofit organization to be a festival organization, the
11 county shall ensure that the nonprofit organization has extensive experience in organizing
12 and managing large-scale public events.

13 (2) The Board may issue not more than four beer, wine, and liquor festival
14 licenses each year.

15 (d) **(1)** The Board may issue the beer, wine, and liquor festival license to a
16 holder of a retail license or a person that is eligible to hold a Class C multiple day or
17 multiple event license.

18 **(2)** **AN APPLICANT FOR THE LICENSE SHALL SUBMIT AN APPLICATION**
19 **ON THE FORM THAT THE BOARD PROVIDES.**

20 (e) The license authorizes the license holder to display and sell beer, wine, and
21 liquor that is:

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 license 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 Board shall:

28 (1) hold a hearing on a license application; and

(2) publish notice of [a] THE license application hearing [in a newspaper of general circulation in the county] one time at least 7 days before the hearing.

(h) (1) The Board shall choose a location for the festival that is not already licensed.

(2) If the location chosen allows for Sunday sales, Sunday sales may begin at 10 a.m.

(i) Beer, wine, and liquor displayed and sold shall be:

(1) invoiced to the license holder by a retailer or wholesaler; and

(2) delivered to the festival from the licensed premises of the retailer or wholesaler.

(j) A holder of a retail license or State wholesaler's license may enter into an agreement with the holder of the beer, wine, and liquor festival license to:

(1) deliver beer, wine, and liquor not earlier than 2 days before the effective date of the license; and

(2) accept returns not later than 5 days after the expiration date of the license.

(k) The Board shall establish the beer, wine, and liquor festival license fee.

(l) The Board shall adopt regulations to carry out this section.

21-1305.

(a) (1) There is a wine festival license.

(2) The Board may issue not more than four wine festival licenses each year.

(3) AN APPLICANT FOR THE LICENSE SHALL SUBMIT AN APPLICATION ON THE FORM THAT THE BOARD PROVIDES.

(b) The Board may issue the license to:

(1) a holder of a retail license, Class 3 winery license, or Class 4 limited winery license; or

(2) a person that is eligible to hold a Class C multiple day or multiple event license.

(c) The license authorizes the holder to display and sell wine that is:

(1) manufactured and processed in any state; and

(2) distributed in the State when the license application is filed.

(d) A license holder shall display and sell wine:

(1) at retail for on- and off-premises consumption; and

(2) during the hours and days designated for the wine festival.

(e) The Board shall:

(1) hold a hearing on each license application; and

(2) publish notice of [a] THE license application hearing [in a newspaper of general circulation in the county] one time at least 7 days before the hearing.

(f) (1) Subject to paragraph (3) of this subsection, each year the Board shall choose up to 3 consecutive days for the wine festival.

(2) The Board shall choose a location that is not already licensed.

(3) A day chosen for the wine festival may not:

(i) be a Sunday; or

(ii) fall on the same weekend as the Maryland Wine Festival in Carroll County.

(g) Notwithstanding subsection (f)(3)(i) of this section, a holder of a wine festival license issued for use in a location where Sunday sales are allowed may make Sunday sales beginning at 10 a.m.

(h) Wine displayed and sold shall be:

(1) invoiced to the license holder by a wholesaler, Class 3 winery, or Class 4 limited winery; and

(2) delivered to the wine festival from the licensed premises of the wholesaler, Class 3 winery, or Class 4 limited winery.

(i) A holder of a State wholesale, Class 3 winery, or Class 4 limited winery license may enter into an agreement with the license holder to:

(1) deliver wine not earlier than 2 days before the effective date of the license; and

(2) accept returns not later than 5 days after the expiration date of the license.

(j) The Board shall establish the license fee.

(k) The Board shall adopt regulations to carry out this section.

21-1309.

(a) The Board may issue a Class C multiple day beer license, beer and wine license, and beer, wine, and liquor license to a [club] **NONPROFIT ORGANIZATION** for the following fees and license types:

(1) \$50 for a 2-day license;

(2) \$150 for a 6-day license; and

(3) \$300 for a 12-day license.

(b) The license holder may hold another license issued by the Board that is of a different class or nature.

(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.

21-1310.

(a) The Board may issue a multiple event license to a [club] **NONPROFIT ORGANIZATION** that qualifies for a Class C multiple day license.

(b) The Board may not issue more than one multiple event license to a [club] **NONPROFIT ORGANIZATION** in a license year.

(c) The license holder may hold another license issued by the Board that is of a different class or nature.

(d) (1) The Board shall publish a notice for application for the license one time at least 7 days before a license hearing.

(2) A license holder shall notify the Board in writing at least 7 days before an event for which the license is to be used.

1 (e) The [club] **NONPROFIT ORGANIZATION** for which a multiple event license is
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:

7 (1) \$125 for not more than 5 events per year;

8 (2) \$250 for not more than 12 events per year;

9 (3) \$375 for not more than 18 events per year; and

10 (4) \$500 for not more than 24 events per year.

11 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
12 1, 2025.