

Bill No.: _____

Requested: _____

Committee: _____

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Stored – 12/08/06

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Checked by _____

By: **Montgomery County Delegation**

A BILL ENTITLED

1 AN ACT concerning

2 **Montgomery County – Alcoholic Beverages – Direct Sales by Holders of**
3 **Class 6 Limited Wine Wholesaler’s Licenses**

4 **MC 703-07**

5 FOR the purpose of authorizing in Montgomery County a holder of a Class 6 limited
6 wine wholesaler’s license to sell or deliver wine directly to a restaurant, county
7 dispensary, or other retail dealer; authorizing a restaurant, county dispensary,
8 or other retail dealer to purchase wine directly from a holder of a Class 6
9 limited wine wholesaler’s license; making certain technical and stylistic
10 changes; making this Act an emergency measure; and generally relating to
11 alcoholic beverages in Montgomery County.

12 BY repealing and reenacting, with amendments,
13 Article 2B – Alcoholic Beverages
14 Section 15-204
15 Annotated Code of Maryland
16 (2005 Replacement Volume and 2006 Supplement)

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.



19

Article 2B – Alcoholic Beverages

20 15–204.

21 (a) Except as otherwise provided in this section, the liquor control board in
22 each county shall have an absolute monopoly of the sale and distribution of the
23 particular alcoholic beverages which elsewhere in this subtitle it is empowered to sell.

24 (b) (1) Provided, that in Montgomery County no person, firm, or
25 corporation shall keep for sale any alcoholic beverage not purchased from the
26 Department of Liquor Control for Montgomery County, provided, however, that
27 nothing in this subsection shall apply to [holders of Class F licenses, to the holder of a
28 wholesaler’s license or a beer wholesaler’s license] **A HOLDER OF A CLASS F
29 LICENSE OR A HOLDER OF A CLASS 1 BEER, WINE AND LIQUOR, CLASS 2 WINE
30 AND LIQUOR, CLASS 3 BEER AND WINE, CLASS 4 BEER, OR CLASS 5 WINE
31 WHOLESALER’S LICENSE**, who [shall] **MAY** not sell or deliver any alcoholic beverage
32 in Montgomery County for resale except to a county liquor dispensary.

33 (2) **NOTWITHSTANDING PARAGRAPH (1) OF THIS SUBSECTION:**

34 (I) **A HOLDER OF A CLASS 6 LIMITED WINE WHOLESALER’S
35 LICENSE MAY SELL OR DELIVER WINE DIRECTLY TO A COUNTY LIQUOR
36 DISPENSARY, RESTAURANT, OR OTHER RETAIL DEALER IN MONTGOMERY
37 COUNTY; AND**

38 (II) **A COUNTY LIQUOR DISPENSARY, RESTAURANT, OR
39 OTHER RETAIL DEALER IN MONTGOMERY COUNTY MAY PURCHASE WINE
40 DIRECTLY FROM A HOLDER OF A CLASS 6 LIMITED WINE WHOLESALER’S
41 LICENSE.**

42 (c) This section does not apply to the sale and distribution of light wine in
43 Somerset County.

44 (d) In Wicomico County, the county dispensaries shall make wholesale sales
45 of all liquors at a markup of not more than 15 percent above the operating cost to the
46 dispensary to any licensee of a Class A, B, or C beer, wine and liquor license.

47 SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency
48 measure, is necessary for the immediate preservation of the public health or safety,
49 has been passed by a yea and nay vote supported by three-fifths of all the members
50 elected to each of the two Houses of the General Assembly, and shall take effect from
51 the date it is enacted.