



STATE OF MARYLAND



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TO: All Alcoholic Beverages License Holders in Frederick County

FROM: Kathy L. Vahle, Administrator

DATE: June 5, 2014

RE: Legislation from the 2014 Session

During the 2014 Session in Annapolis, several bills were passed and signed into law by Governor O'Malley that will affect the holders of alcoholic beverages licenses in Frederick County.

There were several Statewide Bills that deal with breweries and distribution, specifically Class 7 and Class 8 licenses that are issued by the Comptroller's Office. There was also a local bill involving Farm Brewery licenses. Since this has such a limited scope, I am not going to go into the changes. However, if you want information relating to these bills, please let me know and I will be happy to provide that for you.

A local bill was passed to allow Country Inn licenses in the Burkittsville Election District. Burkittsville is a Beer Only Election District, so without the amendment, a Country Inn license could not be issued. This too, has a limited scope, however, if you want information, please let me know.

There are a few bills that are important and could have an impact on your business.

Senate Bill 75/House Bill 359 – As of July 1, 2014, you will be prohibited from selling any alcoholic beverages with an alcohol content by volume of 95% (190 proof) or more. This type of alcohol is most often referred to as “grain alcohol.” A person who violates this section, §16-505.2 is guilty of a criminal offense, a misdemeanor, and on conviction is subject to a fine not exceeding \$1,000.00.

House Bill 4 – House Bill 4 further defines §16-505.1. It has been passed in a previous session that a person may not use an AWOL machine (Alcohol Without Liquid device). It has been prohibited for a licensee to offer for sale or use an AWOL machine to inhale alcohol vapor or otherwise introduce alcohol in any form into the human body. House Bill 4 further defines that an AWOL machine also means a Vaportini or any similar device that mixes an alcoholic

product with pure oxygen or other gas to produce a vaporized product that can be inhaled. You may not have these machines in your business.

Senate Bill 619/House Bill 433- Frederick County – Alcoholic Beverages Act of 2014 - There are two parts to this legislation.

1. Special licenses – One-Day Special licenses are for non-profit organizations. Effective July 1, 2014, Special licenses to specific organizations are allowed in any Election District in the County, including Dry or Beer Only Districts. This deals only with One-Day Special licenses. Therefore, this will not impact your business.

2. Wine Preservation Systems – Effective July 1, 2014, the holder of a Class A, beer and wine sampling or tasting (BWST) license may use a wine preservation system. The bottles of wine that are allowed to be open at any one time at a wine sampling or tasting event are:

- a. all of the bottles in a wine preservation system that the Board approves; and
- b. not more than six other bottles of wine opened by the holder of a solicitor's permit, the holder of the BWST license, or an employee of the license holder.

If you do not have a wine preservation system, the maximum number of bottles that may be opened at any one time at a wine sampling or tasting event are six bottles.

A single individual may not consume more than 6 ounces of wine from all brands in a single day.

If you have any questions, please contact the office at 301-600-2984 or 301-600-1156. I will provide you with a complete copy of any of the bills, and answer any questions you may have.

Thank you,

Kathy L. Vahle
Administrator