



# Maryland State Licensed Beverage Association

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## 2022 General Assembly Session Preview

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Redistricting. New Committee Chairs in the House. Upcoming races for Governor, Comptroller, Attorney General, the House of Delegates and the Senate. Alcohol regulation issues like beer and wine in supermarkets and direct shipment of alcohol. These and other events yet unknown will all form the backdrop of the 2022 General Assembly Session starting on January 12<sup>th</sup> and running through April 11<sup>th</sup>. Here's what you need to know as we start 90 days of nonstop twists and turns.

2022 is an election year in Maryland, with races for all statewide offices happening after Session ends. The primary election is in June, and the general election in November. Think that these events don't matter during the Session because they occur after it ends in April? Think again. One of the first orders of business in the Session will be to adopt new state legislative districts, a process known as "redistricting" that occurs every 10 years after the completion of the U.S. census. It is perhaps the most political process of all, as Delegates and Senators try to shape the most favorable district they can heading into the election, and with every precinct that is moved in or out of their district, another neighboring district, and therefore Delegate or Senator, is impacted. Redistricting, and whatever ill-feelings the process generates, can easily carry over into other legislative matters and will no doubt effect who will return to Annapolis in 2023.

We also have new members of the House leadership team this Session, and with these changes inevitably come new viewpoints that could impact legislation. On the Economic Matters Committee (ECM), which oversees alcoholic beverage regulation, Chairman Dereck Davis (D-Prince George's) is seeking to become the State Treasurer after Nancy Kopp announced her retirement. Should he be chosen by the General Assembly as Treasurer, perhaps as early as during the December 6<sup>th</sup> Special Session on congressional redistricting, a new ECM Chairman will have to be appointed. Many point to Delegate C.T. Wilson (D—Charles Co.) as the likely successor to Davis. In addition, ECM Vice Chairman Kathleen Dumais (D-Mont. Co.) was appointed to a judgeship in November, and Delegate Brian Crosby (D-St. Mary's) will now serve as Vice Chairman. Finally, Delegate Anne Kaiser (D-Mont. Co.) has stepped down from her role as Chair of the Ways & Means Committee, and Del. Vanessa Atterbeary (D-Howard) was named to replace her.

How all of these political dynamics will impact major alcohol legislation remains to be seen. The General Assembly deals with a range of issues, some big and some small, but taken altogether, legislators are looked upon to solve a lot of problems. And it's easy for important issues to get lost. That's why it's so critical that MSLBA members and our industry partners hold events like Opening Day, participate in the legislative process, and take time to build relationships with our local legislators. It keeps legislators informed and knowledgeable on the issues that are important to the industry. We know that two major bills are likely if not certain to be introduced. These bills include:

1) Direct Shipment of Alcohol

During the 2021 Session, legislation was introduced by Maryland's brewers and distillers that would have allowed them to permanently ship alcohol using third parties, a practice first allowed by Executive Order in the spring of 2020 at the beginning of the pandemic. The legislation was amended to be only temporary, expiring at the end of 2022. The distillers and brewers are expected to once again seek legislation that makes the privilege permanent.

Retailers and wholesalers have argued that enforcement of laws designed to prevent underage access to shipped alcohol are virtually non-existent, with common carriers regularly leaving product on the steps of residential customers without first obtaining proof of age. The opposite is true with brick-and-mortar licenses, who regularly see stings and enforcement actions and face fines and a loss of their license for violating the law. In short, there is regular, consistent enforcement at stores. Until State and local government can provide the same level of underage enforcement with direct ship as it does with brick-and-mortar stores, the practice should not be allowed.

2) Beer and Wine in Supermarkets

A perennial issue, this one will no doubt be back in 2022. The large supermarkets continue to want to repeal the prohibition on chain stores and supermarkets obtaining beer and wine licenses, last year arguing that this is the way to solve the problem of "food deserts", areas where there are not grocery retailers. However, legislators did not see more alcohol outlets as a way to solve this problem, and the legislation was defeated.

Whether the supermarkets will couch their pursuits in the same or some other form in 2022 remains to be seen, but rest assured they will continue to press the issue. The job of retailers remains the same that it always has been: Contact the legislators that represent your district, invite them out to your business, and share your concerns about this legislation. **DO IT TODAY!**

There will also be other, unanticipated bills that have statewide impact which our Legislative Committee will have to weigh during its weekly meetings. And the usual array of local bills will be introduced, requiring members from the affected local jurisdiction to focus on those as well. Whatever issues may arise, the one common thread through the years has been our members' ability to reach out to their local legislators and convey our position on a given piece of legislation. If you have not established that type of relationship yet--again, **DO IT TODAY!**