



# Maryland State Licensed Beverage Association

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## ALCOHOL RELATED LEGISLATION THAT PASSED IN 2024

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## **STATEWIDE ALCOHOL RELATED LEGISLATION THAT PASSED IN 2024**

### **Excerpts from: THE 90 DAY REPORT, A Review of the 2024 Legislative Session**

By: Department of Legislative Services, Maryland General Assembly  
[https://dls.maryland.gov/pubs/prod/RecurRpt/24rs\\_90\\_Day\\_Report.pdf](https://dls.maryland.gov/pubs/prod/RecurRpt/24rs_90_Day_Report.pdf)  
 [Added notes in brackets]

### **Statewide Alcoholic Beverages** [*The 90 Day Report, Part H-42 to H-43*]

#### **Manufacturer’s Licenses**

A Class 4 limited winery license, issued by the Executive Director of the Alcohol, Tobacco, and Cannabis Commission (ATCC), authorizes the sale and sampling of wine and pomace brandy produced by the license holder with a certain minimum required content of Maryland-grown grapes or other fruit. *Senate Bill 1001/House Bill 1083 (both passed)* alter cultivation and production requirements applicable to holders of Class 4 limited winery licenses by defining “Maryland-grown agricultural product” and using that more expansive term for the Maryland content requirements applicable to Class 4 limited wineries. The bills also alter the standards for the purchase of specific wine by a license holder and require the finished wine being purchased by the license holder to be made entirely of Maryland agricultural products fermented by a licensed manufacturer. [*Effective Date: July 1, 2024*]

#### **Direct Delivery of Alcoholic Beverages**

Generally, State law regulates specific activities of alcoholic beverage license holders including (1) the storage of alcoholic beverages; (2) the certification of license holders; and (3) the conduct of license holders. Statute also regulates the delivery of alcoholic beverages within the State and retail delivery to a purchaser of alcoholic beverages is generally prohibited.

#### **Manufacturer Direct Delivery Permits**

Before the COVID-19 pandemic, the only alcoholic beverages manufacturers that were allowed to sell their products directly to customers in the State were wineries operating under a direct wine *shipper’s* permit issued by ATCC, using a shipping service holding a common carrier permit from ATCC. During the pandemic, breweries, wineries, and distilleries in the State were granted a temporary authorization to deliver their products directly to consumers in the State by executive order and legislation that have since terminated. *Senate Bill 1041 (passed)* allows a winery to deliver directly to a consumer in the State under a new direct wine *delivery* permit issued by ATCC. Similarly, the bill further establishes a new direct beer delivery permit and a new direct liquor delivery permit authorizing the direct delivery of beer and liquor to a consumer in the State, as specified.

The bill also repeals restrictions on the maximum amount of alcoholic beverages a consumer may buy when visiting Class 1 distilleries and Class 5 breweries and requires holders of specified manufacturer’s licenses to report certain information to ATCC each year. [*Effective July 1, 2024*]

#### **Restaurant Local Delivery Permit**

*Senate Bill 456/House Bill 808 (both passed)* establish a local delivery service permit in jurisdictions where a local licensing board has adopted regulations authorizing the delivery of alcoholic

beverages by a third-party contractor, an independent contractor, or an agent. The local delivery service permit holder may deliver alcoholic beverages from a retail license holder authorized to deliver alcoholic beverages to an individual only in the jurisdiction where the retail license holder is located. **[Effective Date: July 1, 2024]**

**[Lottery Agent Commissions [Senate Bill 362](#) - The 90 Day Report, Part A-19]**

**Exhibit A-1.9**  
**General Fund Revenue and Transfers**  
**Fiscal 2024 and 2025**

<b><u>General Fund Revenue Actions</u></b>	<b><u>Amount</u></b>
Reduce the Amount of Funds Reserved Due to Revenue Volatility Cap	\$260.0
<b>Reduce Lottery Agent Commissions for Sales from 6.0% to 5.75% and the Commission for Cashing of a Ticket from 3% to 2%</b>	22.4
Redirect Interest from a Variety of Special Funds	29.3
Transportation Network Company Impact Fee	1.3
Repeal the Small Business Relief Tax Credit	1.3
Certain Sales and Use Revenue from Electricity Related to Electric Vehicle Charging Diverted to Transportation Trust Fund	-0.8

**Winery and Vineyard Economic Development Grant Program** *[The 90 Day Report, Part H-22]*

Chapter 358 of 2022 established the program in Commerce, which provides financial assistance to individuals and corporations to establish a new winery or vineyard in the State or complete capital improvements at an existing winery or vineyard. [Senate Bill 746/House Bill 914](#) (*both passed*) remove the application and grant award deadline under the program and modify the period during which qualified capital expenses must be paid or incurred for purposes of calculating the grant amount. **[Effective Date: July 1, 2024]**

**Restaurant and Trader Licensing Requirements** *[The 90 Day Report, Part H-8]*

A “trader” is defined in statute as “a person who operates a room or other place of business for selling goods, including goods sold at auction.” Generally, a person must have a trader’s license whenever the person either does business as a trader in the State or does business as an exhibitor in the State. This requirement does not apply to certain occupations in the State. [House Bill 1116](#) (*passed*) requires a licensed restaurant to also have a trader’s license if the restaurant does business as a trader or exhibitor in the State. However, the bill exempts from the requirement to obtain a trader’s license a business that generates 10% or less of its annual sales from nonfood items. **[Effective Date: October 1, 2024]**

**Tobacco Distribution** *[The 90 Day Report, Part E-6]*

In general, a person who distributes tobacco products for commercial purposes may not distribute a tobacco product, tobacco paraphernalia, or a coupon redeemable for a tobacco product to an individual younger than age 21. In addition, a person may not purchase for, sell to, or distribute to an individual

younger than age 21 a tobacco product or tobacco paraphernalia. A violator is guilty of a misdemeanor and subject to a maximum fine of \$300 for a first violation, \$1,000 for a second violation within two years, and \$3,000 for each subsequent violation within two years after the preceding violation. [Senate Bill 1056](#) (*passed*) increases the maximum fine for a first violation from \$300 to \$500. The bill also specifies that, if a licensee violates these provisions, a court must order the Alcohol, Tobacco, and Cannabis Commission to (1) suspend the license for up to 90 days for a second violation; (2) suspend the license for up to 180 days for a subsequent violation; and (3) revoke the license for each subsequent violation. [*Effective Date: October 1, 2024*]

#### **Gift Card Scams Prevention** [*The 90 Day Report, Part I-4*]

[Senate Bill 760](#) (*passed*) establishes consumer protections relating to the retail sale of gift cards. The bill generally prohibits a merchant from knowingly selling open- or closed-loop gift cards (*i.e.*, gift cards redeemable at either multiple unaffiliated merchants or a single merchant or a group of affiliated merchants) to a consumer unless the card is packaged in a way that protects against tampering and the merchant displays a notice that cautions consumers about gift card scams. The bill also requires merchants to train employees on how to identify and respond to gift card fraud. [*Effective Dates: June 1, 2025 and October 1, 2025*]

#### **Clean Indoor Air Act** [*The 90 Day Report, Part J-6*]

[Senate Bill 244/House Bill 238](#) (*both passed*) extend the ban on smoking in public indoor areas, places of employment, and on specified mass transit systems under the Clean Indoor Air Act (CIAA) to include vaping. Signage that states “No Smoking or Vaping” must be conspicuously posted and properly maintained in each indoor area open to the public (including each public entrance to an indoor area) where smoking or vaping is prohibited under CIAA. [*Effective Date: July 1, 2024*]

### **LOCAL ALCOHOL RELATED LEGISLATION THAT PASSED IN 2024**

#### **Excerpts from: THE 90 DAY REPORT, A Review of the 2024 Legislative Session**

By: Department of Legislative Services, Maryland General Assembly  
[https://dls.maryland.gov/pubs/prod/RecurRpt/24rs\\_90\\_Day\\_Report.pdf](https://dls.maryland.gov/pubs/prod/RecurRpt/24rs_90_Day_Report.pdf)  
 [*Added notes in brackets*]

#### **Allegany County** [*The 90 Day Report, Part H-43*]

**Class BWLT Tasting Permit:** [House Bill 1205](#) (*passed*) establishes a Class BWLT beer, wine, and liquor tasting permit that authorizes the permit holder to allow the on-premises consumption, for tasting, of beer, wine, and liquor. [*Effective Date: July 1, 2024*]

**Underage Employees:** [House Bill 1330](#) (*passed*) authorizes an alcoholic beverages license holder in Allegany County to employ an individual who is 16 or 17 years old, as long as that individual does not sell or serve alcoholic beverages. [*Effective Date: July 1, 2024*]

**Baltimore City** [*The 90 Day Report, Part H-43 to H-45*]

**Board of License Commissioners:** *Senate Bill 22 (passed)* requires the Governor, instead of the Mayor of Baltimore City or the President of the Baltimore City Council, to appoint, fill a vacancy, and remove members of the board of license commissioners, as specified. The bill also clarifies that members of the board are subject to State ethics laws. In addition, the bill provides that the executive secretary and deputy executive secretary of the board may qualify for these positions if they have served in Baltimore City government for a minimum of five years immediately preceding their appointment as an alternative to the existing city residency requirement. [*Effective Date: July 1, 2024*]

**Class B-D-7 Licenses – Hours of Sale:** *Senate Bill 45/House Bill 335 (both passed)* alter a specified geographic area in the 45th alcoholic beverages district in Baltimore City where (1) a holder of a Class B-D-7 beer, wine, and liquor license may not sell alcoholic beverages before 9 a.m. or after 10 p.m. and (2) a license holder, other than licensees specified, may not sell alcoholic beverages before 9 a.m. or after 10 p.m. and may not extend the hours of sale if they begin later than 9 a.m. or end before 10 p.m. [*Effective Date: June 1, 2024*]

**Licensing Fees:** *Senate Bill 895/House Bill 733 (both passed)* (1) increase annual, supplementary, and other alcoholic beverages licensing fees for specified licenses in Baltimore City; (2) authorize the board of license commissioners to set *per diem* and annual licensing fees for specified licenses; and (3) increase renewal application fees for all alcoholic beverages licenses. [*Effective Date: July 1, 2024*]

**License Extensions:** *Senate Bill 1079/House Bill 1235 (both passed)* specify that a Class B-D-7 license issued for a premises in the 5517 block of Harford Road must be considered unexpired until July 1, 2025, for the purpose of transfer to another owner at this location, if the applicant enters into a memorandum of understanding (MOU) with the Hamilton Community Association. The bills also specify that a Class B-D-7 license issued for a premises in the 2200 block of East Fayette Street must be considered unexpired until July 1, 2025, for the purposes of renewal to the current license year, and transfer to a different applicant at this location, if the applicant enters into an MOU with the Cleaning, Active, Restoring, Efforts Community Association, as specified. [*Effective Date: July 1, 2024*]

**40th Alcoholic Beverages District:** *Senate Bill 1008/House Bill 1198 (both passed)* establish a Class M-F (Municipal Family Fun Center) alcoholic beverages license in the 40th alcoholic beverages district in Baltimore City and authorize the board of license commissioners to issue a license for use at a municipal bowling alley and skating rink in a specified area in the 40th district. Additionally, the bills authorize the issuance of a Class B beer, wine, and liquor license in a specified area in the 40th district under certain circumstances and authorize an extension of the expiration date of a Class A license in a specified area in the 40th district for the purpose of renewal. [*Effective Date: July 1, 2024*]

**46th Alcoholic Beverages District:** *Senate Bill 1100/House Bill 1052 (both passed)* add two exceptions to the general prohibition against the transfer or issuance of a license within 300 feet of a place of worship or school for specified areas in the 46th alcoholic beverages district in Baltimore City. The bills authorize the issuance of up to 10 new Class B-D-7 licenses and 2 new Class A-7 licenses in a specified area in the 46th alcoholic beverages district. Under the bills, licenses may not be transferred outside or into the specified area. The bills authorize the holder of a specified Class D beer and light wine license to convert to a Class D beer, wine, and liquor license, and extend the expiration date of a specified Class B-D-7 license

in the 46th alcoholic beverages district for the purpose of completing a transfer at that location. [*Effective Date: July 1, 2024*]

***Senate Bill 904/House Bill 1089 (both passed)*** authorize the board of license commissioners to issue a Class B beer, wine, and liquor license for use by a restaurant in ward 4, precincts 1 and 2 of Baltimore City. The licensee may not sell alcoholic beverages for off-premises consumption, except under a refillable container permit for draft beer, as specified. No new licenses may be issued after June 30, 2028, but then-existing licenses may be renewed. [*Effective Date: July 1, 2024*]

**Baltimore County** [*The 90 Day Report, Part H-45*]

***Individual Storage Permits: Senate Bill 1010 (passed)*** requires retailers in Baltimore County to have written approval from the board of license commissioners before applying to the Executive Director of the Alcohol, Tobacco, and Cannabis Commission for an individual storage permit. [*Effective Date: July 1, 2024*]

***License Applications Notice: House Bill 1269 (passed)*** clarifies that the board of license commissioners must publish notice of an application for an alcoholic beverages license two times in two successive weeks in one newspaper of general circulation in Baltimore County. However, the bill allows the board to fulfill the notice requirement by posting notice of an application hearing online at least 14 days before the application hearing date instead of publishing the notice in a local newspaper. [*Effective Date: July 1, 2024*]

**Caroline County** [*The 90 Day Report, Part H-45*]

***Beer, Wine, and Liquor Tasting License: Senate Bill 529/House Bill 363 (both passed)*** alter the existing one-day beer and wine tasting license to be a one-day beer, wine, and liquor tasting license. Among other samples authorized under existing law, an individual may consume beer, wine, or liquor covered by the beer, wine, and liquor tasting license in a quantity of up to (1) 9 ounces of beer from all offerings in a day rather than eight ounces and (2) 0.5 ounces from each offering of liquor, and 2.5 ounces from all offerings in a day. [*Effective Date: July 1, 2024*]

***Barbershop and Beauty Salon Beer and Wine License: Senate Bill 531/House Bill 362 (both passed)*** establish a barbershop and beauty salon beer and wine license in Caroline County that authorizes the license holder to provide a certain quantity of beer and wine for on-premises consumption only while performing activities generally related to barbershops and beauty salons. [*Effective Date: July 1, 2024*]

**Carroll County** [*The 90 Day Report, Part H-45 to H-46*]

***Alcohol Awareness Training Program: Senate Bill 964 (passed)*** requires a holder of a Class B or Class D alcoholic beverage license in Carroll County or the holder's designee to (1) be certified by an alcohol awareness training program and (2) be present on the licensed premises during the hours when alcoholic beverages may be sold. The bill also establishes monetary and administrative penalties for noncompliance. [*Effective Date: July 1, 2024*]

**Frederick County** [The 90 Day Report, Part H-46]

***Class C (Weinberg Center/New Spires Art Stages) License:*** [Senate Bill 563/House Bill 586](#) (both passed) rename the Class C (Weinberg Center) beer, wine, and liquor license as the Class C (Weinberg Center/New Spires Art Stages) beer, wine, and liquor license and authorize the board of license commissioners to issue the license for use by the Weinberg Center for the Arts at the New Spires Arts Stages. The New Spires Art Stages are under common management with the Weinberg Center. [Effective Date: July 1, 2024]

***Municipal Golf Course License:*** [Senate Bill 560/House Bill 588](#) (both passed) add to the authorized recipients of a Class M-G (Municipal Golf) beer, wine, and liquor license an official of the City of Frederick designated by the Mayor of the City of Frederick in addition to a manager of a municipal golf course. [Effective Date: July 1, 2024]

***Stadium License:*** [Senate Bill 770/House Bill 742](#) (both passed) authorize the holder of a stadium license to sell liquor, in addition to beer and wine, for consumption on the licensed premises and increase the license fee. [Effective Date: June 1, 2024]

***Class DBR License and Class DDS Permit:*** [House Bill 1377](#) (passed) establishes a Class DBR license that the board of license commissioners may issue to a holder of a Class 5 brewery license. The license authorizes the holder to sell (1) food and nonalcoholic beverages and (2) beer brewed at the brewery for on- and off-premises consumption to the extent the license holder is allowed under its Class 5 brewery license. The bill also establishes a Class DDS permit that may be issued by the board to a holder of a Class 1 distillery license that authorizes the holder to sell (1) food and nonalcoholic beverages and (2) brandy, rum, whiskey, alcohol, and neutral spirits that are distilled, rectified, blended, and bottled at the distillery for on- and off-premises consumption to the extent the permit holder is allowed under its Class 1 distillery license. [Effective Date: July 1, 2024]

***Manufacturer's Limited Beer, Wine, and Liquor Permit:*** [Senate Bill 561/House Bill 587](#) (both passed) establish a manufacturer's limited beer, wine, and liquor permit that may be issued to specified holders of a Class 1 distillery license or Class 5 brewery license in the county. The permit authorizes the holder to allow a licensed caterer or other contracted party to provide sealed beer, wine, and liquor products not manufactured by the holder during private events for on-premises consumption. [Effective Date: July 1, 2024]

***Promoter's Permit:*** [Senate Bill 767/House Bill 743](#) (both passed) authorize the holder of a promoter's permit to sell beer, wine, and liquor at an event, as specified. [Effective Date: July 1, 2024]

**Local Gaming - Part H – Business and Economic Issues H-19**

[Senate Bill 415/House Bill 277](#) (both passed) authorize a person allowed to operate a tip jar in Frederick County to operate an electronic tip jar dispenser that does not connect to the Internet or to a server. [Effective Date: July 1, 2024]

**Garrett County** [*The 90 Day Report, Part H-46 to H-47*]

***Senate Bill 428 (passed)*** makes multiple changes to alcoholic beverages laws in Garrett County by:

- establishing a Class B-Resort beer license, a Class B-Resort beer and wine license, and a beer, wine, and liquor festival license;
- authorizing the board of license commissioners to issue a Class B-Resort beer license or a Class B-Resort beer and wine license to a license holder for a complex that has at least two facilities meeting specified requirements;
- requiring the county to select a nonprofit organization to conduct the Garrett County Beer, Wine, and Liquor Festival each year;
- imposing a State residency requirement on applicants for alcoholic beverages licenses;
- prohibiting alcohol consumption at certain places of adult entertainment, subject to conviction and fine;
- increasing the maximum fines for a violation of the county’s alcoholic beverages laws; and
- extending the Sunday hours of sale for specified alcoholic beverages licenses in the county. [*Effective Date: July 1, 2024*]

**Harford County** [*The 90 Day Report, Part H-47*]

***Golf Simulator Facility License: Senate Bill 736/House Bill 632 (both passed)*** establish a Class GSF (golf simulator facility) alcoholic beverages license for use by a golf simulator facility that is (1) open to the public; (2) features at least five golf simulator bays; and (3) has accommodations that are predominantly dedicated to golf simulator bays and seating for those bays. [*Effective Date: July 1, 2024*]

***Performing Arts Nonprofit Organization License: Senate Bill 734/House Bill 635 (both passed)*** establish a performing arts nonprofit organization beer, wine, and liquor license. The bills also establish recordkeeping and reporting requirements for license holders and penalty provisions, as specified. [*Effective Date: July 1, 2024*]

***Performing Arts Theater License: Senate Bill 933/House Bill 1118 (both passed)*** alter existing eligibility criteria for a performing arts theater license. The bills authorize the board of license commissioners to issue the license to a for-profit organization instead of a nonprofit organization. Furthermore, the bills authorize the holder of a performing arts theater license to sell liquor for on-premises consumption in addition to beer and wine and increase the annual license fee. [*Effective Date: July 1, 2024*]

***Stadium License: House Bill 621 (passed)*** decreases the annual license fee from \$10,000 to \$7,000 for a stadium beer, wine, and liquor license. [*Effective Date: July 1, 2024*]

**Montgomery County** [*The 90 Day Report, Part H-48*]

***Class B Beer, Wine, and Liquor License – Off-premises Consumption: House Bill 762 (passed)*** authorizes the holder of a Class B beer, wine, and liquor license to sell (1) beer, wine, and liquor at retail for on-premises consumption and (2) beer and wine in containers sealed with the manufacturer’s original seal for off-premises consumption only to a person who has purchased prepared food from the licensed premises. [*Effective Date: July 1, 2024*]



**Prince George's County** [The 90 Day Report, Part H-48 to H-49]

**Class B-CAEVC (College Athletic Event Venue Concessionaire) License:** *Senate Bill 1184 (passed)* establishes a Class B-CAEVC (college athletic event venue concessionaire) beer, wine, and liquor license. The board of license commissioners may issue the license for use by a concessionaire contracted to provide food and beverages services in designated areas of venues that are located on the University of Maryland, College Park Campus or the Bowie State University campus, as specified. [Effective Date: July 1, 2024]

**Class C (Fraternal/Sororal/Service Organization) License:** *Senate Bill 9/House Bill 307 (both passed)* authorize the board of license commissioners to issue a Class C (fraternal/sororal/service organization) beer, wine, and liquor license for use by an independent and nonprofit nationwide fraternal or sororal organization, as defined. [Effective Date: July 1, 2024]

**Distance Restrictions:** *Senate Bill 66/House Bill 817 (both passed)* authorize the board of license commissioners to issue an alcoholic beverages license for an establishment that is within 500 feet of a place of worship or within 1,000 feet of a school building if a license of the same class had been issued and was (1) held by the same person seeking the new license and (2) in effect for the establishment before the place of worship or school building was built. [Effective Date: July 1, 2024]

**License Renewal:** *Senate Bill 51 (passed)* authorizes the board of license commissioners to extend the deadlines by which a license holder must file a renewal application for Class A, B, C, and D licenses. The bill also specifies that a license or permit issued by the board that was subject to renewal from March 5, 2020, to December 31, 2023, and was not renewed because the holder failed to file a renewal application must be considered unexpired until July 1, 2025, and may be renewed to bring the license holder up-to-date if the license holder demonstrates to the board that the license holder meets all requirements for renewal and pays all past due fees. [Effective Date: July 1, 2024]

**St. Mary's County** [The 90 Day Report, Part H-48]

**Nonprofit Performing Arts Theater License:** *House Bill 654 (passed)* establishes a nonprofit performing arts theater beer and wine license that authorizes the license holder to sell or serve beer and wine, as specified. [Effective Date: July 1, 2024]

**Beer, Wine, and Liquor Tasting Permit:** *House Bill 651 (passed)* establishes a beer, wine, and liquor tasting permit and authorizes the board of license commissioners to issue the permit to the holder of a Class A license for on-premises consumption of beer, wine, and liquor for tasting purposes only. [Effective Date: July 1, 2024]

**Washington County** [The 90 Day Report, Part H-49]

**Multi-use Sports and Events Facility Beer, Wine, and Liquor License:** *Senate Bill 853/House Bill 920 (both passed)* alter the existing stadium beer and wine license to be a multi-use sports and events facility beer, wine, and liquor license. The holder of a multi-use sports and events beer, wine, and liquor license is authorized to sell beer, wine, and liquor for on-premises consumption to individuals present at an event in the specified facility. [Effective Date: July 1, 2024]

**Wicomico County** [*The 90 Day Report, Part H-49*]

***Dispensary Monopoly Repeal and Regulation:*** ***House Bill 1340 (passed)*** repeals the monopoly of the Liquor Control Board and its dispensary system for the sale and distribution of specified wine and liquor in the county. The bill (1) authorizes the holder of a Class A, B, C, or D license to purchase alcoholic beverages from a dispensary or a wholesaler and (2) repeals the prohibition for a holder of a Class 1 beer, wine, and liquor or a Class 2 wine and liquor wholesaler’s license to sell or deliver liquor in the county for resale, as specified. [*Effective Date: July 1, 2024*]

***Class B Beer, Wine, and Liquor License:*** ***Senate Bill 941/House Bill 1341 (both passed)*** (1) authorize the holder of a Class B beer, wine, and liquor license to purchase liquor for retail sale from a county dispensary or from a licensed wholesaler; (2) specify that a county dispensary may not charge the license holder more than 15% above the wholesale operating cost to the dispensary; and (3) establish that the holder of a Class B beer, wine, and liquor restaurant license that has been issued a Class 9 limited distillery license may sell products manufactured under the distillery license at the place described in the Class B license in a manner consistent with the underlying Class B license for on- and off-premises consumption. [*Effective Date: July 1, 2024*]



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