

~~(H) BEER THAT IS BREWED BY A BREWER WHOSE PRODUCT IS DISTRIBUTED IN THE STATE.~~

(2) ~~BEER AND~~ WINE MAY BE DISPLAYED AND SOLD AT RETAIL FOR CONSUMPTION ON OR OFF THE PREMISES ON THE DAYS AND FOR THE HOURS DESIGNATED FOR THE FESTIVAL.

(F) A FESTIVAL ORGANIZATION:

(1) SHALL CHOOSE FOR THE FESTIVAL A LOCATION THAT IS A LICENSED OR AN UNLICENSED PREMISES IN THE COUNTY; AND

(2) SHALL ASSURE THAT THE PRIMARY FOCUS OF THE FESTIVAL IS THE PROMOTION OF MONTGOMERY COUNTY.

(G) (1) BEFORE A PERSON MAY SELL, OFFER FOR SALE, OR DISPLAY ~~BEER OR~~ WINE AT A FESTIVAL, THE PERSON MUST CONTRACT WITH THE FESTIVAL ORGANIZATION AND OBTAIN A SPECIAL FESTIVAL LICENSE FROM THE BOARD.

~~(2) THE BOARD MAY ESTABLISH A LICENSE FEE.~~

(2) THE LICENSE FEE IS \$30 FOR EACH DAY OF THE FESTIVAL.

(3) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, A PERSON MAY HOLD A SPECIAL FESTIVAL LICENSE IN ADDITION TO ANOTHER LICENSE ISSUED UNDER THIS ARTICLE.

(4) THE BOARD MAY DENY A SPECIAL FESTIVAL LICENSE TO ANY APPLICANT, SUSPEND OR REVOKE A SPECIAL FESTIVAL LICENSE, OR IMPOSE A FINE NOT EXCEEDING \$20,000 IF THE APPLICANT OR LICENSE HOLDER VIOLATES A PROVISION OF THIS ARTICLE OR THE REGULATIONS OF THE BOARD.

(5) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, ALL LICENSE FEES COLLECTED UNDER THIS SUBSECTION SHALL BE DEPOSITED INTO THE GENERAL FUND OF THE COUNTY.

(H) THE BOARD SHALL ADOPT REGULATIONS FOR IMPLEMENTING THIS SECTION.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2005.

Approved April 12, 2005.

CHAPTER 50

(House Bill 441)

AN ACT concerning

Montgomery County - Alcoholic Beverages - Licensed Premises Near Public Libraries