

(8) (i) A permit holder may receive wine for the auction from:

1. A wholesaler licensed under this article;
2. A Class 3 or Class 4 winery licensed under this article;
3. A retail dealer licensed under this article;
4. A private individual residing in the State; or
5. A business entity that is located in the State and not licensed under this article.

(ii) A permit holder may receive commercially-produced wine that is not authorized for distribution and sale in the State from:

1. A nonresident private individual; or
2. A business entity that is located outside of this State.

(9) (i) Wine that is received from the following sources is subject to Maryland tax as provided under § 5-102 of the Tax - General Article:

1. Wholesalers licensed under this article;
2. Class 3 and 4 wineries licensed under this article; and
3. Any other source outside of this State.

(ii) Wine that is received from the following sources is presumed to have been tax-paid:

1. Retail dealers licensed under this article;
2. Private individuals residing in this State; and
3. Business entities that are located in this State and not licensed under this article.

(10) (i) Within 30 days from the close of the auction, the permit holder shall file a report and pay all taxes that are due and owing on the wine that is received for the auction.

(ii) The report shall be filed with the Office of the Comptroller and shall include the total number of gallons of wine that was received for the auction and the sources from which it was received.

(iii) The Office of the Comptroller shall provide the forms for the report.

(11) The Office of the Comptroller may require that, within 7 days from the date of the auction, the permit holder prepay a satisfactory sum to cover the anticipated wine tax that is due and owing.