

SB0803/193426/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 803
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after “**Wine**” insert “**and Pomace Brandy**”; in line 4, after the first “of” insert “expanding the definition of “pomace brandy” authorized to be produced and sold by the holder of a Class 4 limited winery license;”; in line 7, after “license;” insert “clarifying that the holder of a Class 4 limited winery license must report all pomace brandy distilled and bottled by the holder as a distilled spirit for purposes of the alcoholic beverage tax;”; after line 7, insert:

“BY repealing and reenacting, without amendments,
Article - Alcoholic Beverages and Cannabis
Section 1-101(a) and 2-206(a), (b), and (e)(1)
Annotated Code of Maryland
(2024 Replacement Volume and 2025 Supplement)”;

in line 10, strike “2–205 and 2–206(c)(1)” and substitute “1–101(bb), 2–205, and 2–206(c)(1), (e)(2), and (k)”; and strike in their entirety lines 13 through 17, inclusive, and substitute:

“BY adding to
Article - Alcoholic Beverages and Cannabis
Section 2-206(k)
Annotated Code of Maryland
(2024 Replacement Volume and 2025 Supplement)”.

AMENDMENT NO. 2

On page 1, after line 20, insert:

“1-101.

(a) In this article the following words have the meanings indicated.

(bb) “Pomace brandy” means:

(1) brandy that is distilled from the pulpy residue of wine pressing, including the skins, pips, and stalks of grapes; OR

(2) A BRANDY, NOT EXCEEDING 80 PROOF, THAT IS DISTILLED BY A CLASS 4 LIMITED WINERY LICENSE FROM WINE PRODUCED UNDER THE CLASS 4 LIMITED WINERY LICENSE WITH INGREDIENTS THAT INCLUDE AT LEAST 51% MARYLAND-GROWN AGRICULTURAL PRODUCTS.”.

On page 3, after line 1, insert:

“(a) (1) In this section, “Maryland-grown agricultural product” means any product produced or cultivated on a farm or vineyard in the State.

(2) “Maryland-grown agricultural product” does not include:

(i) cannabis; or

(ii) any other product containing tetrahydrocannabinol as defined in § 36-1102 of this article.”;

and after line 15, insert:

“(e) A license holder may:

(1) store on its licensed premises, in a segregated area approved by the Executive Director, the product of other Class 4 limited wineries to be used at Maryland Wineries Association promotional activities, provided records are maintained and reports filed regarding the storage under this item as may be required by the Executive Director;

(2) SUBJECT TO SUBSECTION (K) OF THIS SECTION, distill and bottle not more than 1,900 gallons of pomace brandy made from available Maryland agricultural products;

(K) ALL POMACE BRANDY DISTILLED AND BOTTLED BY THE LICENSE HOLDER SHALL BE REPORTED BY THE LICENSE HOLDER AS A DISTILLED SPIRIT IN ACCORDANCE WITH TITLE 5 OF THE TAX – GENERAL ARTICLE.

[(k)] (L) The annual license fee:

(1) shall be determined by the Executive Director; and

(2) may not exceed \$200.”.