

Chapter 644

(House Bill 1068)

AN ACT concerning

Baltimore City – Alcoholic Beverages – Pub Crawl Promoter’s Permits

FOR the purpose of creating a pub crawl promoter’s permit in Baltimore City; authorizing the Baltimore City Board of License Commissioners to issue a pub crawl promoter’s permit to a certain applicant who has submitted an application to the Board of License Commissioners no less than a certain number of days before a certain date; requiring an applicant to obtain a certain special event permit and provide a copy of the special event permit and provide a completed application and any other document that the Board requires to the Board of License Commissioners before being issued the pub crawl promoter’s permit; requiring certain license holders to sign and date a certain application ~~and pay a certain fee~~; requiring the Board to take a certain action within a certain time period; specifying that the permit authorizes the holder to conduct a pub crawl; requiring a pub crawl to be held on certain premises; specifying the duration of a permit; authorizing the Board of License Commissioners to adopt certain regulations; specifying a certain application fee and permit fee; establishing ~~a certain penalty~~ penalties; defining certain terms; and generally relating to pub crawl promoter’s permits in Baltimore City.

BY adding to

Article – Alcoholic Beverages

Section 12–1101.1

Annotated Code of Maryland

(As enacted by Chapter ____ (S.B. ____)(6lr1406) of the Acts of the General Assembly of 2016)

BY repealing and reenacting, without amendments,

Article – Alcoholic Beverages

Section 12–2801

Annotated Code of Maryland

(As enacted by Chapter ____ (S.B. ____)(6lr1406) of the Acts of the General Assembly of 2016)

BY repealing and reenacting, with amendments,

Article – Alcoholic Beverages

Section 12–2802

Annotated Code of Maryland

(As enacted by Chapter ____ (S.B. ____)(6lr1406) of the Acts of the General Assembly of 2016)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That the Laws of Maryland read as follows:

Article – Alcoholic Beverages

12-1101.1.

~~(A) IN THIS SECTION, “PUB CRAWL” MEANS AN EVENT DURING WHICH AN ORGANIZED GROUP OF AT LEAST 3 LICENSE HOLDERS UNDER THIS TITLE OFFER DISCOUNTED ALCOHOLIC BEVERAGES DURING A SPECIFIED TIME TO A GROUP OF PARTICIPANTS IN THE EVENT.~~

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) “PUB CRAWL” MEANS AN EVENT IN WHICH:

(I) AN ORGANIZED GROUP OF AT LEAST THREE LICENSE HOLDERS WHOSE PREMISES ARE WITHIN WALKING DISTANCE OF EACH OTHER PARTICIPATES IN A COORDINATED PROMOTION TO SELL OR PROVIDE ALCOHOLIC BEVERAGES DURING A SPECIFIED TIME; AND

(II) AT LEAST 75 INDIVIDUALS ARE REASONABLY ANTICIPATED TO PARTICIPATE.

(3) “PUB CRAWL PROMOTER” MEANS AN INDIVIDUAL, A FOR-PROFIT ORGANIZATION, OR A NONPROFIT ORGANIZATION THAT CONDUCTS A PUB CRAWL.

(B) THERE IS A PUB CRAWL PROMOTER’S PERMIT.

~~(C) A FOR-PROFIT ORGANIZATION OR A NONPROFIT ORGANIZATION~~ PUB CRAWL PROMOTER OR A PARTICIPATING LICENSE HOLDER ON BEHALF OF A PUB CRAWL PROMOTER SHALL OBTAIN THE PERMIT FROM THE BOARD BEFORE THE ~~ORGANIZATION~~ PUB CRAWL PROMOTER MAY PUBLICIZE, SELL TICKETS FOR, ORGANIZE, OPERATE, PRODUCE, OR STAGE A PUB CRAWL.

(D) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE BOARD MAY ~~ISSUE~~ GRANT THE PERMIT TO AN APPLICANT WHO SUBMITS AN APPLICATION TO THE BOARD AS PROVIDED UNDER TITLE 4 OF THIS ARTICLE AT LEAST 42 DAYS BEFORE THE DATE OF THE PUB CRAWL.

(2) BEFORE BEING ~~ISSUED~~ GRANTED THE PERMIT, AN APPLICANT SHALL:

(I) OBTAIN A SPECIAL EVENT PERMIT FROM THE BALTIMORE CITY DEPARTMENT OF TRANSPORTATION; ~~AND~~

~~BOARD.~~ (II) PROVIDE A COPY OF THE SPECIAL EVENT PERMIT TO THE

~~SHALL:~~ (3) ~~EACH LICENSE HOLDER THAT PARTICIPATES IN THE PUB CRAWL~~

~~(I) SIGN AND DATE THE APPLICATION; AND~~

~~(H) PAY TO THE BOARD A \$100 PARTICIPATION FEE.~~

BOARD; AND

(III) PROVIDE A COMPLETED APPLICATION THAT:

1. IS SIGNED AND DATED BY EACH LICENSE HOLDER THAT WILL PARTICIPATE IN THE PUB CRAWL;

2. LISTS EACH PREMISES FOR WHICH THE PUB CRAWL WILL BE HELD; AND

3. IS ACCOMPANIED BY ANY OTHER DOCUMENT THAT THE BOARD REQUIRES.

(3) AN APPLICATION MAY NOT BE ALTERED WITHIN 30 DAYS BEFORE THE PUB CRAWL IS SCHEDULED TO TAKE PLACE.

(4) WITHIN 14 DAYS AFTER RECEIVING AN APPLICATION, THE BOARD SHALL GRANT OR DENY THE PERMIT OR REQUEST MORE INFORMATION FROM THE APPLICANT.

(E) THE PERMIT AUTHORIZES THE ~~PERMIT HOLDER~~ PUB CRAWL PROMOTER AND PARTICIPATING LICENSE HOLDERS TO CONDUCT A PUB CRAWL.

~~(F) EACH PREMISES FOR WHICH A PUB CRAWL IS HELD SHALL BE:~~

~~(1) ISSUED A LICENSE UNDER THIS TITLE; AND~~

~~(2) LISTED ON THE APPLICATION FOR THE PERMIT.~~

~~(G)~~ (F) THE PERMIT FOR EACH PUB CRAWL MAY BE IN EFFECT FOR THE TIME STATED ON THE SPECIAL EVENT PERMIT REQUIRED UNDER SUBSECTION (D)(2) OF THIS SECTION.

~~(H)~~ (G) THE BOARD MAY ADOPT REGULATIONS ESTABLISHING THE REQUIREMENTS FOR:

(1) CONDUCTING A PUB CRAWL, INCLUDING HEALTH AND SAFETY STANDARDS TO BE MET BY THE ~~PERMIT HOLDER~~ PUB CRAWL PROMOTER AND PARTICIPATING LICENSE HOLDERS; AND

(2) PROVIDING PUBLIC NOTICE OF A PUB CRAWL AT THE PREMISES OF PARTICIPATING LICENSE HOLDERS BY THE PUB CRAWL PROMOTER OR PARTICIPATING LICENSE HOLDERS.

~~(I) THE APPLICATION FEE IS \$50.~~

~~(J) THE PERMIT FEE IS \$250.~~

(H) (1) THE APPLICATION FEE IS \$50, PAYABLE ON THE SUBMISSION OF THE APPLICATION.

(2) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE PERMIT FEE, PAYABLE WHEN THE PERMIT IS GRANTED, IS:

1. \$120; AND

2. \$100 FOR EACH LICENSE HOLDER THAT PARTICIPATES IN THE PUB CRAWL.

(II) ON RECEIPT OF AN APPLICATION, THE BOARD MAY REDUCE THE PERMIT FEE BY NOT MORE THAN 50% IF THE APPLICANT SHOWS THAT THE PROCEEDS FROM THE PUB CRAWL AFTER ADMINISTRATIVE EXPENSES ARE DEDUCTED SHALL BE USED TO BENEFIT AN ORGANIZATION THAT IS EXEMPT FROM TAXATION UNDER § 501(C)(3) OF THE INTERNAL REVENUE CODE.

12-2801.

Section 6-402 ("General penalty") of Division I of this article applies in the City.

12-2802.

(a) For a violation that is cause for suspension of a license, the Board may:

(1) except as provided in [subsection (b)] SUBSECTIONS (B) AND (C) of this section, for a first offense, impose a fine not exceeding \$500 or suspend the license or both; or

(2) **EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION**, for each subsequent offense, impose a fine not exceeding \$3,000 or suspend the license or both.

(b) For a first offense of selling alcoholic beverages to an individual under the age of 21 years, the Board may impose a fine not exceeding \$1,000 or suspend the license or both.

(c) **(1) FOR THE OFFENSE OF PUBLICIZING, SELLING TICKETS FOR, ORGANIZING, OPERATING, PRODUCING, ~~FACILITATING,~~ OR STAGING A PUB CRAWL WITHOUT OBTAINING WITH THE KNOWLEDGE OR A REASON TO KNOW THAT A PUB CRAWL PROMOTER'S PERMIT AS REQUIRED UNDER § 12-1101.1 OF THIS TITLE ~~HAS NOT BEEN OBTAINED,~~ THE BOARD SHALL IMPOSE A FINE OF NOT LESS THAN \$1,000 AND NOT MORE THAN \$3,000 OR SUSPEND THE LICENSE OR BOTH.**

(2) A PERSON WHO VIOLATES § 12-1101.1 OF THIS TITLE MAY NOT BE GRANTED A PROMOTER'S PERMIT FOR AT LEAST 1 YEAR.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2016.

Approved by the Governor, May 19, 2016.