

HOUSE BILL 1062

A2

6lr2098
CF 6lr3682

By: **St. Mary's County Delegation**

Introduced and read first time: February 11, 2016

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **St. Mary's County – Alcoholic Beverages – Permits, Training, Prohibited Acts,**
3 **and Violations**

4 FOR the purpose of altering the serving size of a sample serving of beer permitted to be
5 served to an individual by a holder of a Class BWTS beer and wine tasting or
6 sampling permits in St. Mary's County; establishing a BWT beer and wine tasting
7 permit in St. Mary's County for a certain purpose; authorizing the Board of License
8 Commissioners for St. Mary's County to issue the permit only to a holder of a certain
9 license; providing for the application and fees for, maximum permit periods, and
10 restrictions associated with the permit; requiring an applicant for an alcoholic
11 beverages license in St. Mary's County to attend certain training within a certain
12 time after the application is approved; providing that attendance at certain training
13 does not fulfill a certain training requirement; prohibiting a person who operates a
14 certain establishment in St. Mary's County without an alcoholic beverage license
15 from knowingly allowing a customer to bring alcoholic beverages for consumption
16 into, or on the grounds of, the establishment; authorizing the Board to impose a
17 certain fine on a certain employee of a holder of an alcoholic beverage license for
18 selling alcoholic beverages to certain individuals; and generally relating to the
19 regulation of alcoholic beverages in St. Mary's County.

20 BY repealing and reenacting, without amendments,

21 Article – Alcoholic Beverages

22 Section 28–102 and 28–1306(a)

23 Annotated Code of Maryland

24 (As enacted by Chapter ____ (S.B. 724) of the Acts of the General Assembly of 2016)

25 BY repealing and reenacting, with amendments,

26 Article – Alcoholic Beverages

27 Section 28–1306(f), 28–2501, and 28–2802

28 Annotated Code of Maryland

29 (As enacted by Chapter ____ (S.B. 724) of the Acts of the General Assembly of 2016)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 BY adding to
 2 Article – Alcoholic Beverages
 3 Section 28–1307 and 28–1411
 4 Annotated Code of Maryland
 5 (As enacted by Chapter ____ (S.B. 724) of the Acts of the General Assembly of 2016)

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

8 **Article – Alcoholic Beverages**

9 28–102.

10 This title applies only in St. Mary’s County.

11 28–1306.

12 (a) There is a 1–day Class BWTS beer and wine tasting or sampling license.

13 (f) An individual may consume beer or wine covered by the license in a quantity
 14 not exceeding:

15 (1) 1 ounce from each offering and 4 ounces from all offerings of wine in a
 16 day; and

17 (2) [3] 2 ounces from each offering and 8 ounces from all offerings of beer
 18 in a day.

19 **28–1307.**

20 **(A) THERE IS A BWT BEER AND WINE TASTING PERMIT.**

21 **(B) THE BOARD MAY ISSUE THE PERMIT ONLY TO A HOLDER OF A CLASS A**
 22 **LICENSE.**

23 **(C) THE PERMIT AUTHORIZES THE HOLDER TO ALLOW THE ON–PREMISES**
 24 **CONSUMPTION OF BEER AND WINE FOR TASTING PURPOSES ONLY.**

25 **(D) THE HOLDER OF A CLASS A LICENSE MAY APPLY FOR AND THE BOARD**
 26 **MAY ISSUE THE PERMIT THAT IS EFFECTIVE FOR A MAXIMUM OF:**

27 **(1) ANY 26 DAYS IN A LICENSING PERIOD;**

28 **(2) ANY 52 DAYS IN A LICENSING PERIOD; OR**

1 **(3) 365 DAYS IN A LICENSING PERIOD.**

2 **(E) A PERMIT HOLDER SHALL NOTIFY THE BOARD OF THE HOLDER'S**
3 **INTENT TO HAVE A TASTING AT LEAST 7 DAYS BEFORE THE EVENT IF THE PERMIT IS**
4 **EFFECTIVE FOR ANY:**

5 **(1) 26 DAYS IN A LICENSING PERIOD; OR**

6 **(2) 52 DAYS IN A LICENSING PERIOD.**

7 **(F) AN INDIVIDUAL MAY CONSUME BEER OR WINE COVERED BY THE**
8 **LICENSE IN A QUANTITY NOT EXCEEDING:**

9 **(1) 1 OUNCE FROM EACH OFFERING AND 4 OUNCES FROM ALL**
10 **OFFERINGS OF WINE IN A DAY; AND**

11 **(2) 2 OUNCES FROM EACH OFFERING AND 8 OUNCES FROM ALL**
12 **OFFERINGS OF BEER IN A DAY.**

13 **(G) THE PERMIT AUTHORIZES THE CONSUMPTION OF BEER OR WINE ONLY**
14 **ON THE LICENSED PREMISES OF THE HOLDER.**

15 **(H) THE PERMIT FEES ARE:**

16 **(I) FOR A PERMIT THAT IS EFFECTIVE FOR ANY 26 DAYS IN A**
17 **LICENSING PERIOD, \$150;**

18 **(II) FOR A PERMIT THAT IS EFFECTIVE FOR ANY 52 DAYS IN A**
19 **LICENSING PERIOD, \$200; AND**

20 **(III) FOR A PERMIT THAT IS EFFECTIVE FOR 365 DAYS IN A**
21 **LICENSING PERIOD, \$250.**

22 **28-1411.**

23 **(A) WITHIN 90 DAYS AFTER THE BOARD APPROVES AN APPLICATION FOR A**
24 **LICENSE, THE APPLICANT SHALL ATTEND RESPONSIBLE ALCOHOL SERVICE**
25 **TRAINING.**

26 **(B) ATTENDANCE AT THE RESPONSIBLE ALCOHOL SERVICE TRAINING**
27 **DOES NOT FULFILL THE ALCOHOL AWARENESS TRAINING REQUIREMENT UNDER §**
28 **4-505 OF THIS ARTICLE.**

1 28–2501.

2 (a) An establishment not licensed by the Board, at a location under the control or
3 possession of the establishment, may not:

4 (1) sell or serve alcoholic beverages to a member or guest;

5 (2) keep alcoholic beverages for a member or guest;

6 (3) allow a customer to consume or to be served alcoholic beverages from
7 the supplies that the customer has previously purchased or reserved; or

8 (4) sell, serve, keep, or allow to be consumed setups or other component
9 parts of mixed alcoholic drinks to a member or guest.

10 (b) A person who operates an establishment for profit that is not licensed under
11 this article may not knowingly allow a customer to bring alcoholic beverages for
12 consumption into **OR ON THE GROUNDS OF** the establishment.

13 (c) A person who violates this section is guilty of a misdemeanor and on conviction
14 is subject to a fine not exceeding \$1,000.

15 28–2802.

16 (a) A person who violates a law relating to:

17 (1) licensing the sale of alcoholic beverages is guilty of a misdemeanor and
18 on conviction is subject to a fine not exceeding \$1,000; and

19 (2) hours or days for the sale of alcoholic beverages is guilty of a
20 misdemeanor and on conviction is subject to imprisonment or a fine not exceeding \$250 or
21 both.

22 (b) For a license violation, the Board may revoke or suspend a license or impose
23 a fine on the license holder or both.

24 **(C) IF AN EMPLOYEE OF A LICENSE HOLDER SELLS ALCOHOLIC BEVERAGES**
25 **TO AN INDIVIDUAL UNDER THE AGE OF 21 YEARS THE BOARD MAY IMPOSE A FINE**
26 **ON THE EMPLOYEE NOT EXCEEDING \$500 PER OFFENSE.**

27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
28 1, 2016.