

# SENATE BILL 792

A2

(9lr1751)

## ENROLLED BILL

— *Education, Health, and Environmental Affairs/Economic Matters* —

Introduced by **Senator Hayes**

Read and Examined by Proofreaders:

\_\_\_\_\_  
Proofreader.

\_\_\_\_\_  
Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

\_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ o'clock, \_\_\_\_\_ M.

\_\_\_\_\_  
President.

### CHAPTER \_\_\_\_\_

1 AN ACT concerning

#### 2 **Baltimore City – Alcoholic Beverages – Related Event Promoter’s Permit**

3 FOR the purpose of creating a related event promoter’s permit in Baltimore City;  
4 authorizing the Baltimore City Board of License Commissioners to issue a related  
5 event promoter’s permit to a certain applicant who has submitted an application to  
6 the Board not less than a certain number of days before a certain date; requiring a  
7 holder of a State caterer’s license to obtain a certain license from the Board before  
8 the holder may act as a participating license holder at a certain event; requiring an  
9 applicant to take certain actions before being granted the related event promoter’s  
10 permit; requiring certain license holders to sign and date a certain application and  
11 pay a certain fee; specifying that an individual who applies for and obtains a related  
12 event promoter’s permit is not required to be a resident of or a registered voter in  
13 Baltimore City; requiring the Board to take a certain action within a certain time  
14 period; specifying that the permit authorizes the holder to conduct a related event;  
15 requiring a related event to be held on certain premises; specifying the duration of a

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#### EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

*Italics indicate opposite chamber/conference committee amendments.*



1 permit; specifying a certain application fee and permit fee; establishing certain  
 2 penalties; defining certain terms; providing for the termination of this Act; and  
 3 generally relating to related event promoter's permits in Baltimore City.

4 BY repealing and reenacting, without amendments,  
 5 Article – Alcoholic Beverages  
 6 Section 12–102  
 7 Annotated Code of Maryland  
 8 (2016 Volume and 2018 Supplement)

9 BY adding to  
 10 Article – Alcoholic Beverages  
 11 Section 12–1102.2  
 12 Annotated Code of Maryland  
 13 (2016 Volume and 2018 Supplement)

14 BY repealing and reenacting, with amendments,  
 15 Article – Alcoholic Beverages  
 16 Section 12–2802  
 17 Annotated Code of Maryland  
 18 (2016 Volume and 2018 Supplement)

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

21 **Article – Alcoholic Beverages**

22 12–102.

23 This title applies only in Baltimore City.

24 **12–1102.2.**

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

27 **(2) “CIAA BASKETBALL TOURNAMENT” MEANS THE ANNUAL**  
 28 **BASKETBALL TOURNAMENT OF THE CENTRAL INTERCOLLEGIATE ATHLETIC**  
 29 **ASSOCIATION.**

30 **(3) (I) “RELATED EVENT” MEANS AN EVENT IN WHICH:**

31 **1. A LICENSE HOLDER PARTICIPATES IN A**  
 32 **COORDINATED PROMOTION WITH A THIRD–PARTY PROMOTER TO SELL OR PROVIDE**  
 33 **ALCOHOLIC BEVERAGES DURING A SPECIFIED TIME; AND**

1                   2.    AT LEAST 75 INDIVIDUALS ARE REASONABLY  
2 ANTICIPATED TO PARTICIPATE.

3                   (ii)   “RELATED EVENT” INCLUDES AN EVENT FOR WHICH  
4 TICKETS ARE SOLD TO THE PUBLIC, INCLUDING A CONCERT, AN ENTERTAINMENT  
5 EVENT, A HAPPY HOUR, OR A PARTY.

6                   (4)   “RELATED EVENT PROMOTER” MEANS AN INDIVIDUAL, A  
7 FOR-PROFIT ORGANIZATION, OR A NONPROFIT ORGANIZATION THAT PROMOTES A  
8 SOCIAL EVENT RELATED TO THE CIAA BASKETBALL TOURNAMENT AROUND THE  
9 SAME TIME AND LOCATION AS THE CIAA BASKETBALL TOURNAMENT.

10               (b)    THERE IS A RELATED EVENT PROMOTER’S PERMIT.

11               (c)    (1)   A RELATED EVENT PROMOTER OR A PARTICIPATING LICENSE  
12 HOLDER ON BEHALF OF A RELATED EVENT PROMOTER SHALL APPLY FOR A PERMIT  
13 FROM THE BOARD BEFORE THE RELATED EVENT PROMOTER MAY PUBLICIZE, SELL  
14 TICKETS FOR, ORGANIZE, OPERATE, PRODUCE, OR STAGE A RELATED EVENT.

15               (2)   A HOLDER OF A STATE CATERER’S LICENSE SHALL OBTAIN A  
16 CLASS C PER DIEM BEER, BEER AND WINE, OR BEER, WINE, AND LIQUOR LICENSE  
17 FROM THE BOARD BEFORE THE HOLDER MAY ACT AS A PARTICIPATING LICENSE  
18 HOLDER AT A RELATED EVENT.

19               (d)    (1)   EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION,  
20 THE BOARD MAY GRANT THE PERMIT TO AN APPLICANT WHO SUBMITS AN  
21 APPLICATION TO THE BOARD AS PROVIDED UNDER TITLE 4 OF THIS ARTICLE AT  
22 LEAST 90 DAYS BEFORE THE DATE OF THE RELATED EVENT.

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

24                   (i)    OBTAIN WRITTEN CONSENT FROM A DESIGNEE OF VISIT  
25 BALTIMORE;

26                   (ii)   IF REQUIRED BASED ON THE TYPE OF PREMISES TO BE  
27 USED:

28                           1.    OBTAIN A SPECIAL EVENT PERMIT FROM THE  
29 BALTIMORE CITY DEPARTMENT OF TRANSPORTATION; AND

30                           2.    PROVIDE A COPY OF THE SPECIAL EVENT PERMIT TO  
31 THE BOARD; AND

32                   (iii)   PROVIDE A COMPLETED APPLICATION THAT:

1                   1.     IS DATED AND NOTARIZED, AND SIGNED BY EACH  
2 LICENSE HOLDER THAT WILL PARTICIPATE IN THE RELATED EVENT;

3                   2.     LISTS EACH PREMISES FOR WHICH THE RELATED  
4 EVENT WILL BE HELD; AND

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

7                   (3)    AN INDIVIDUAL WHO APPLIES FOR AND IS ISSUED THE PERMIT IS  
8 NOT REQUIRED TO BE A RESIDENT OF OR A REGISTERED VOTER IN BALTIMORE  
9 CITY.

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

13                  (5)    A PERMIT MAY NOT BE ALTERED WITHIN 30 DAYS BEFORE THE  
14 RELATED EVENT IS SCHEDULED TO TAKE PLACE.

15                  (E)    THE PERMIT AUTHORIZES THE RELATED EVENT PROMOTER AND  
16 PARTICIPATING LICENSE HOLDER TO CONDUCT A RELATED EVENT.

17                  (F)    THE PERMIT FOR EACH RELATED EVENT MAY BE IN EFFECT FOR THE  
18 TIME STATED ON THE SPECIAL EVENT PERMIT REQUIRED UNDER SUBSECTION  
19 (D)(2) OF THIS SECTION.

20                  (G)    THE BOARD MAY ADOPT REGULATIONS ESTABLISHING THE  
21 REQUIREMENTS FOR:

22                   (1)    CONDUCTING A RELATED EVENT, INCLUDING HEALTH AND  
23 SAFETY STANDARDS TO BE MET BY THE RELATED EVENT PROMOTER AND  
24 PARTICIPATING LICENSE HOLDER; AND

25                   (2)    PROVIDING PUBLIC NOTICE OF A RELATED EVENT AT THE  
26 PREMISES OF PARTICIPATING LICENSE HOLDERS BY THE RELATED EVENT  
27 PROMOTER OR PARTICIPATING LICENSE HOLDERS.

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

1           (2) ~~(1) SUBJECT TO SUBPARAGRAPH (H) PARAGRAPH (3) OF THIS~~  
 2 ~~PARAGRAPH SUBSECTION, THE~~ THE PERMIT FEE, PAYABLE WHEN THE PERMIT IS  
 3 GRANTED, IS:

4                           ~~1.     \$120; AND~~

5                           (1) ~~1.     \$500, IF 75 TO 299 INDIVIDUALS ARE REASONABLY~~  
 6 ~~ANTICIPATED TO PARTICIPATE; OR~~

7                           ~~2. (II)     \$1,500, IF 300 OR MORE INDIVIDUALS ARE~~  
 8 ~~REASONABLY ANTICIPATED TO PARTICIPATE; AND.~~

9                           ~~2. (H)     \$100 FOR EACH LICENSE HOLDER THAT~~  
 10 ~~PARTICIPATES IN THE RELATED EVENT.~~

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

16 12-2802.

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

18                   (1) except as provided in subsections (b) and (c) of this section, for a first  
 19 offense, impose a fine not exceeding \$500 or suspend the license or both; or

20                   (2) except as provided in subsection (c) of this section, for each subsequent  
 21 offense, impose a fine not exceeding \$3,000 or suspend the license or both.

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

25           (c) (1) For the offense of publicizing, selling tickets for, organizing, operating,  
 26 producing, facilitating, or staging a pub crawl with the knowledge or a reason to know that  
 27 a pub crawl promoter's permit required under § 12-1101.1 of this title has not been  
 28 obtained, the Board shall impose a fine of not less than \$1,000 and not more than \$3,000  
 29 or suspend the license or both.

30                   (2) A person who violates § 12-1101.1 of this title may not be granted a  
 31 promoter's permit for at least 1 year.

1           **(D) (1) FOR THE OFFENSE OF PUBLICIZING, SELLING TICKETS FOR,**  
 2 **ORGANIZING, OPERATING, PRODUCING, FACILITATING, OR STAGING A RELATED**  
 3 **EVENT WITH THE KNOWLEDGE OR A REASON TO KNOW THAT A RELATED EVENT**  
 4 **PROMOTER’S PERMIT REQUIRED UNDER § 12–1102.2 OF THIS TITLE HAS NOT BEEN**  
 5 **OBTAINED, THE BOARD SHALL IMPOSE A FINE OF NOT LESS THAN \$1,000 AND NOT**  
 6 **MORE THAN \$3,000 OR SUSPEND THE LICENSE OR BOTH.**

7           **(2) A PERSON WHO VIOLATES § 12–1102.2 OF THIS TITLE MAY NOT BE**  
 8 **GRANTED A RELATED EVENT PROMOTER’S PERMIT FOR AT LEAST 1 YEAR.**

9           **(E) FOR THE OFFENSE BY A HOLDER OF A STATE CATERER’S LICENSE OF**  
 10 **PARTICIPATING IN A CIAA BASKETBALL TOURNAMENT RELATED EVENT WITHOUT**  
 11 **FIRST OBTAINING A CLASS C PER DIEM BEER, BEER AND WINE, OR BEER, WINE, AND**  
 12 **LIQUOR LICENSE REQUIRED UNDER § 12–1102.2 OF THIS TITLE, THE COMPTROLLER**  
 13 **SHALL IMPOSE A FINE OF NOT LESS THAN \$1,000 AND NOT MORE THAN \$3,000 OR**  
 14 **SUSPEND THE STATE CATERER’S LICENSE OR BOTH.**

15           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
 16 1, 2019. It shall remain effective for a period of 4 years and, at the end of June 30, 2023,  
 17 this Act, with no further action required by the General Assembly, shall be abrogated and  
 18 of no further force and effect.

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.