

# HOUSE BILL 714

A2

0lr2159  
CF SB 525

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By: **Delegate Kipke**

Introduced and read first time: January 30, 2020

Assigned to: Economic Matters

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## A BILL ENTITLED

1 AN ACT concerning

2 **Anne Arundel County – Alcoholic Beverages – Gift Basket Permit**

3 FOR the purpose of establishing, in Anne Arundel County, a gift basket permit; authorizing  
4 the Board of License Commissioners for Anne Arundel County to issue the permit to  
5 certain persons; providing that the permit authorizes a permit holder to sell and  
6 deliver gift baskets containing beer, wine, or liquor to certain individuals under  
7 certain circumstances; requiring a permit holder to maintain certain records and  
8 submit certain reports; limiting the total annual sales from alcoholic beverages to a  
9 certain percentage of the annual gross sales of the permit holder; requiring the  
10 alcoholic beverages contained in a gift basket to be purchased from a retail license  
11 holder; requiring the Board to adopt certain regulations; establishing a fee for the  
12 permit; and generally relating to alcoholic beverages in Anne Arundel County.

13 BY repealing and reenacting, without amendments,  
14 Article – Alcoholic Beverages  
15 Section 11–102  
16 Annotated Code of Maryland  
17 (2016 Volume and 2019 Supplement)

18 BY adding to  
19 Article – Alcoholic Beverages  
20 Section 11–1006.1  
21 Annotated Code of Maryland  
22 (2016 Volume and 2019 Supplement)

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

25 **Article – Alcoholic Beverages**

26 11–102.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 This title applies only in Anne Arundel County.

2 **11-1006.1.**

3 (A) **THERE IS A GIFT BASKET PERMIT.**

4 (B) **THE BOARD MAY ISSUE THE PERMIT TO A PERSON:**

5 (1) **WHOSE PRIMARY BUSINESS IS THE SALE AND DELIVERY OF GIFT**  
6 **BASKETS OF FLOWERS, FOOD, OR OTHER ITEMS TO INDIVIDUALS IN THE STATE ON**  
7 **BEHALF OF CUSTOMERS; AND**

8 (2) **WHO DOES NOT HOLD ANY OTHER ALCOHOLIC BEVERAGES**  
9 **LICENSE OR PERMIT UNDER THIS ARTICLE.**

10 (C) **A HOLDER OF THE PERMIT:**

11 (1) **MAY SELL AND DELIVER GIFT BASKETS CONTAINING BEER, WINE,**  
12 **OR LIQUOR TO CONSUMERS OF A LEGAL DRINKING AGE LOCATED IN THE STATE; AND**

13 (2) **SHALL MAINTAIN RECORDS AND SUBMIT REPORTS AS REQUIRED**  
14 **BY THE BOARD.**

15 (D) **THE HOLDER'S ANNUAL SALES FROM ALCOHOLIC BEVERAGES MAY NOT**  
16 **EXCEED 25% OF THE HOLDER'S ANNUAL GROSS SALES.**

17 (E) **THE ALCOHOLIC BEVERAGES CONTAINED IN A GIFT BASKET SHALL BE**  
18 **PURCHASED FROM A RETAIL LICENSE HOLDER.**

19 (F) **THE BOARD SHALL ADOPT REGULATIONS TO CARRY OUT THIS SECTION.**

20 (G) **THE FEE FOR A GIFT BASKET PERMIT IS \$100.**

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
22 1, 2020.