

**SB1046/403321/1**

BY: Finance Committee

AMENDMENTS TO SENATE BILL 1046  
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “**Fees**” and substitute “**License Fees and Technical Corrections**”; in lines 3 and 5, in each instance, strike “and permit”; in line 4, after “County;” insert “clarifying that the holder of a gift basket license may purchase alcoholic beverages from a retail dealer;”; in line 11, strike “11-1006.1(a),”; strike beginning with “11-1103(a),” in line 12 down through “11-1308(a),” in line 13; in line 22, strike “11-1006.1(h)” and substitute “11-1006.1”; strike beginning with “11-1102,” in line 23 down through “11-1308(e)” in line 24 and substitute “11-1305 through 11-1308”; in line 25, after the first comma insert “and”; and in the same line, strike “, 11-1703, and 11-1802”.

AMENDMENT NO. 2

On page 5, in lines 13 and 14, in each instance, strike “permit” and substitute “**LICENSE**”; and after line 13, insert:

- “(b) (1) The Board may issue the [permit] LICENSE to a person:
- (i) whose primary business is the sale and delivery of flowers;
  - (ii) whose business includes the sale and delivery of gift baskets of flowers, food, or other items; and
  - (iii) who does not hold any other alcoholic beverages license or permit under this article.
- (2) The Board may not issue the [permit] LICENSE for use in conjunction with or on the premises of a chain store, supermarket, or discount house.

(c) A holder of the [permit] LICENSE:

(1) may sell and deliver, to consumers of a legal drinking age located in the county, gift baskets containing:

(i) not more than 72 ounces of beer;

(ii) not more than 2.25 liters of wine; or

(iii) not more than 2.25 liters of liquor; and

(2) shall maintain records and submit reports as required by the Board.

(d) (1) Subject to paragraph (2) of this subsection, the [permit] LICENSE holder or an employee of the [permit] LICENSE holder shall:

(i) deliver the gift basket containing alcoholic beverages; and

(ii) require the person receiving a delivery of a gift basket containing alcoholic beverages to display proof that the person is at least 21 years old.

(2) An individual who delivers a gift basket containing alcoholic beverages shall be at least 21 years old.

(e) The holder's annual sales from alcoholic beverages may not exceed 10% of the holder's annual gross sales.

(f) [The alcoholic beverages contained in a gift basket shall be purchased from a retail license holder.] NOTWITHSTANDING ANY OTHER PROVISION OF LAW, A

HOLDER OF THE LICENSE MAY PURCHASE ALCOHOLIC BEVERAGES FROM A  
RETAIL DEALER.

(g) The Board shall adopt regulations to carry out this section.”.

On pages 6 through 10, strike in their entirety the lines beginning with line 15 on page 6 through line 23 on page 10, inclusive, and substitute:

“11-1305.

(a) There is a Class WS wine sampling [license] PERMIT.

(b) The Board may issue the [license] PERMIT to a nonprofit organization.

(c) (1) The [license] PERMIT authorizes the on-premises consumption of wine for sampling:

(i) on premises for which a Class B beer and wine or beer, wine, and liquor license has been issued, with the consent of the holder of the license for the premises; or

(ii) at a location that is not already licensed.

(2) The [license] PERMIT holder may bring wine onto the Class B licensed premises for sampling.

(d) The nonprofit organization shall apply for the [license] PERMIT at least 15 days before the [license] PERMIT is issued.

(e) The Board may issue not more than 12 [licenses] PERMITS in a license year to a single nonprofit organization.

(Over)

(f)     The [license] PERMIT holder may serve a quantity of not more than 2 ounces from each offering to an individual.

(g)     The [license] PERMIT fee is \$15 per day.

11-1306.

(a)     There is a Class WT wine tasting [license] PERMIT.

(b)     The Board may issue the [license] PERMIT to a holder of a Class BW license or Class BWL license.

(c)     The [license] PERMIT authorizes the [license] PERMIT holder to allow on-premises consumption for tasting of light wine.

(d)     The [license] PERMIT holder may serve a quantity of not more than 1 ounce from each offering to an individual.

(e)     The annual [license] PERMIT fee is:

(1)     \$50 for a holder of a Class BW license; and

(2)     \$150 for a holder of a Class BWL license.

11-1307.

(a)     There is a BWT beer and wine tasting [license] PERMIT.

(b)     The Board may issue the [license] PERMIT to a holder of a Class A beer, wine, and liquor license or Class A beer and wine license.

(c) The [license] PERMIT authorizes a [license] PERMIT holder to allow on-premises consumption of beer and light wine for tasting.

(d) The [license] PERMIT holder may serve to an individual:

(1) light wine in a quantity of not more than 1 ounce from each offering;  
and

(2) beer in a quantity of not more than 3 ounces.

(e) In addition to the Class A annual LICENSE fee, the annual [license] PERMIT fee is \$150.

11-1308.

(a) There is a BWLT beer, wine, and liquor tasting [license] PERMIT.

(b) The Board may issue the [license] PERMIT to a holder of a Class A beer, wine, and liquor license or Class A beer and wine license.

(c) The [license] PERMIT authorizes a [license] PERMIT holder to allow on-premises consumption of beer, light wine, and liquor for tasting.

(d) The [license] PERMIT holder may serve to an individual:

(1) liquor in a quantity of not more than one-half ounce each from any of five offerings per day;

(2) light wine in a quantity of not more than 1 ounce from each offering;  
and

(Over)

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(3)    beer in a quantity of not more than 3 ounces.

(e)    In addition to the Class A annual LICENSE fee, the annual [license] PERMIT fee is \$500.”

On page 11, strike in their entirety lines 9 through 14, inclusive.