

HOUSE BILL 18

A2

(PRE-FILED)

3lr0555
CF SB 16

By: ~~Delegate Vitale~~ **Anne Arundel County Delegation**

Requested: October 12, 2012

Introduced and read first time: January 9, 2013

Assigned to: Economic Matters

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 15, 2013

CHAPTER _____

1 AN ACT concerning

2 **Anne Arundel County – Alcoholic Beverages – Refillable Container License**

3 FOR the purpose of creating in Anne Arundel County a refillable container license;
4 authorizing the Board of License Commissioners to issue the license to a holder
5 of certain classes of alcoholic beverages license issued by the Board; specifying
6 that a holder of the license may sell draft beer for consumption off the licensed
7 premises in a certain refillable container; requiring a refillable container to
8 meet certain requirements; requiring an applicant for the license to complete a
9 certain form and pay a certain fee; requiring that certain applicants meet
10 certain advertising, posting of notice, and public hearing requirements;
11 specifying the term of the license; specifying the hours of sale for the license;
12 allowing a holder of the license to refill only a refillable container that was
13 branded by ~~the~~ a license holder; requiring the Board to adopt certain
14 regulations; and generally relating to alcoholic beverages in Anne Arundel
15 County.

16 BY repealing and reenacting, without amendments,
17 Article 2B – Alcoholic Beverages
18 Section 8–202(a) and (b)
19 Annotated Code of Maryland
20 (2011 Replacement Volume and 2012 Supplement)

21 BY adding to
22 Article 2B – Alcoholic Beverages

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.



1 Section 8–202(l)
2 Annotated Code of Maryland
3 (2011 Replacement Volume and 2012 Supplement)

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

6 **Article 2B – Alcoholic Beverages**

7 8–202.

8 (a) This section applies only in Anne Arundel County.

9 (b) (1) In this section the following words have the meanings indicated.

10 (2) “Board” means the Board of License Commissioners.

11 (3) “License” means a license for the sale of alcoholic beverages that is
12 issued by the Board.

13 **(L) (1) THERE IS A REFILLABLE CONTAINER LICENSE.**

14 **(2) THE BOARD MAY ISSUE A REFILLABLE CONTAINER LICENSE**
15 **TO A HOLDER OF A CLASS A LICENSE, A CLASS B LICENSE, OR A CLASS D**
16 **LICENSE.**

17 **(3) SUBJECT TO PARAGRAPH (4) OF THIS SUBSECTION, A**
18 **REFILLABLE CONTAINER LICENSE ENTITLES THE LICENSE HOLDER TO SELL**
19 **DRAFT BEER FOR CONSUMPTION OFF THE LICENSED PREMISES IN A**
20 **REFILLABLE CONTAINER WITH A CAPACITY OF NOT LESS THAN 32 OUNCES AND**
21 **NOT MORE THAN ~~182~~ 128 OUNCES.**

22 **(4) TO BE USED AS A REFILLABLE CONTAINER UNDER**
23 **PARAGRAPH (3) OF THIS SUBSECTION, A CONTAINER SHALL:**

24 **(I) BE SEALABLE;**

25 **(II) BE BRANDED WITH AN IDENTIFYING MARK OF ~~THE~~ A**
26 **LICENSE HOLDER;**

27 **(III) BEAR THE FEDERAL HEALTH WARNING STATEMENT**
28 **REQUIRED FOR CONTAINERS OF ALCOHOLIC BEVERAGES UNDER 27 C.F.R.**
29 **16.21;**

1 (IV) DISPLAY INSTRUCTIONS FOR CLEANING THE
2 CONTAINER; AND

3 (V) BEAR A LABEL STATING THAT:

4 1. CLEANING THE CONTAINER IS THE
5 RESPONSIBILITY OF THE CONSUMER; AND

6 2. THE CONTENTS OF THE CONTAINER ARE
7 PERISHABLE AND SHOULD BE REFRIGERATED IMMEDIATELY AND CONSUMED
8 WITHIN 48 HOURS AFTER PURCHASE.

9 (5) BEFORE THE BOARD ISSUES A REFILLABLE CONTAINER
10 LICENSE:

11 (I) THE APPLICANT SHALL:

12 1. COMPLETE THE FORM THAT THE BOARD
13 PROVIDES; AND

14 2. PAY AN ANNUAL LICENSE FEE OF:

15 A. \$500 FOR AN APPLICANT WHOSE ALCOHOLIC
16 BEVERAGES LICENSE DOES NOT HAVE AN OFF-SALE PRIVILEGE; OR

17 B. \$50 FOR AN APPLICANT WHOSE ALCOHOLIC
18 BEVERAGES LICENSE HAS AN OFF-SALE PRIVILEGE; AND

19 (II) AN APPLICANT WHO HOLDS A LICENSE WITHOUT AN
20 OFF-SALE PRIVILEGE SHALL MEET THE SAME ADVERTISING, POSTING OF
21 NOTICE, AND PUBLIC HEARING REQUIREMENTS AS THOSE FOR THE LICENSE
22 THAT THE APPLICANT HOLDS.

23 (6) THE TERM OF A REFILLABLE CONTAINER LICENSE ISSUED TO
24 A SUCCESSFUL APPLICANT IS THE SAME AS THAT OF THE LICENSE THAT THE
25 APPLICANT HOLDS.

26 (7) THE HOURS OF SALE FOR A REFILLABLE CONTAINER
27 LICENSE:

28 (I) BEGIN AT THE SAME TIME AS THOSE FOR THE LICENSE
29 ALREADY HELD BY THE PERSON TO WHOM THE REFILLABLE CONTAINER
30 LICENSE IS ISSUED; AND

1 **(II) END AT MIDNIGHT.**

2 **(8) A LICENSE HOLDER MAY REFILL ONLY A REFILLABLE**
3 **CONTAINER THAT WAS BRANDED BY ~~THE~~ A LICENSE HOLDER.**

4 **(9) THE BOARD SHALL ADOPT REGULATIONS TO CARRY OUT THIS**
5 **SUBSECTION.**

6 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
7 July 1, 2013.

Approved:

_____ Governor.

_____ Speaker of the House of Delegates.

_____ President of the Senate.