

# HOUSE BILL 455

A2

3lr0987

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By: **Howard County Delegation**

Introduced and read first time: January 28, 2013

Assigned to: Economic Matters

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 15, 2013

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

1 AN ACT concerning

2 **Howard County – Alcoholic Beverages – Refillable Wine Containers**

3 **Ho. Co. 15–13**

4 FOR the purpose of expanding a certain application of law in Howard County to allow  
5 certain license holders to sell wine in refillable containers of a certain capacity  
6 off the licensed premises; authorizing the Board of License Commissioners to  
7 issue a refillable wine container permit; making certain requirements relating  
8 to refillable containers, advertising, posting of notice, public hearings, hours of  
9 sale, and the refilling of containers applicable to refillable wine containers and  
10 holders of refillable wine container permits issued under this Act; making a  
11 technical correction; and generally relating to alcoholic beverages in Howard  
12 County.

13 BY repealing and reenacting, without amendments,  
14 Article 2B – Alcoholic Beverages  
15 Section 7–101(p–1)(1)  
16 Annotated Code of Maryland  
17 (2011 Replacement Volume and 2012 Supplement)

18 BY repealing and reenacting, with amendments,  
19 Article 2B – Alcoholic Beverages  
20 Section 7–101(p–1)(11)  
21 Annotated Code of Maryland  
22 (2011 Replacement Volume and 2012 Supplement)

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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.



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

3 **Article 2B – Alcoholic Beverages**

4 7–101.

5 (p–1) (1) This subsection applies only in Howard County.

6 (11) (i) The Board of License Commissioners may issue a refillable  
7 container permit to a holder of any class of alcoholic beverages license issued by the  
8 Board of License Commissioners except a Class C license and a Class GC license:

9 1. On completion of an application form that the Board  
10 provides; and

11 2. At no cost to the [B–SBW] license holder.

12 (ii) A refillable container permit entitles the holder to sell  
13 [draft]:

14 1. **DRAFT** beer for consumption off the licensed  
15 premises in a refillable container with a capacity of not less than 32 ounces and not  
16 more than 128 ounces; **AND**

17 2. **IF THE HOLDER IS LICENSED TO SELL WINE, WINE**  
18 **FOR CONSUMPTION OFF THE LICENSED PREMISES IN A REFILLABLE CONTAINER**  
19 **WITH A CAPACITY OF NOT LESS THAN ~~32~~ 17 OUNCES AND NOT MORE THAN ~~128~~**  
20 **34 OUNCES.**

21 (iii) To be used as a refillable container under subparagraph (ii)  
22 of this paragraph, a container shall:

23 1. Be sealable;

24 2. Be branded with an identifying mark of the license  
25 holder;

26 3. Bear the federal health warning statement required  
27 for containers of alcoholic beverages under 27 C.F.R. 16.21;

28 4. Display instructions for cleaning the container; and

29 5. Bear a label stating [that]:

1 A. [Cleaning] THAT CLEANING the container is the  
2 responsibility of the consumer; and

3 B. [Contents of the container] IF THE CONTAINER  
4 CONTAINS BEER, THAT THE CONTENTS are perishable and should be refrigerated  
5 immediately and consumed within 48 hours after purchase.

6 (iv) The term of and hours of sale for a refillable container  
7 permit issued to an applicant are the same as that of the applicant's alcoholic  
8 beverages license.

9 (v) An applicant who holds an alcoholic beverages license  
10 without an off-sale privilege shall meet the same advertising, posting of notice, and  
11 public hearing requirements as those for the alcoholic beverages license that the  
12 applicant holds.

13 (vi) A holder of a refillable container permit may refill only a  
14 refillable container that was branded by the permit holder.

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

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.