

# HOUSE BILL 999

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By: **Worcester County Delegation**

Introduced and read first time: February 8, 2013

Assigned to: Economic Matters

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## A BILL ENTITLED

1 AN ACT concerning

2 **Worcester County – Alcoholic Beverages Licenses – Fines – Alcohol**  
3 **Awareness Program**

4 FOR the purpose of altering in Worcester County the privileges relating to the sale of  
5 alcoholic beverages by the holders of certain alcoholic beverages licenses;  
6 increasing the maximum fine in the county that may be imposed on a person for  
7 a certain alcoholic beverages violation; exempting a certain licensee in the  
8 county from a certain requirement regarding certification by an approved  
9 alcohol awareness program; allowing in the county a person who is certified by a  
10 program to be absent from the licensed premises under certain circumstances;  
11 and generally relating to alcoholic beverages in Worcester County.

12 BY repealing and reenacting, without amendments,  
13 Article 2B – Alcoholic Beverages  
14 Section 6–201(a)(1) and (y)(1), 6–401(y)(1) and (2)(i), and 13–101(c)(1) and  
15 (2)(iii)  
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 6–201(y)(4), 6–401(y)(2)(iv), 11–304(a)(2), and 13–101(c)(2)(i), (ii), and  
21 (iv)1.  
22 Annotated Code of Maryland  
23 (2011 Replacement Volume and 2012 Supplement)

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

26 **Article 2B – Alcoholic Beverages**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 6-201.

2 (a) (1) A Class B beer, wine and liquor license shall be issued by the  
3 license issuing authority of the county in which the place of business is located, and  
4 the license authorizes its holder to keep for sale and sell all alcoholic beverages at  
5 retail at any hotel or restaurant at the place described, for consumption on the  
6 premises or elsewhere, or as provided in this section.

7 (y) (1) This subsection applies only in Worcester County.

8 (4) Seven-day license holders may sell beer, wine and liquor [(on-sale)  
9 and beer and light wine (off-sale)] **(ON-SALE OR OFF-SALE)**.

10 6-401.

11 (y) (1) This subsection applies only in Worcester County.

12 (2) (i) A Class D beer, wine and liquor license may be issued only  
13 within:

14 1. The corporate limits of Ocean City;

15 2. The boundary lines of the 10th taxing district;

16 3. The area bounded by U.S. Route 50 to the south,  
17 Turville Creek and Herring Creek to the east, St. Martin River to the north, and  
18 Maryland Route 589 to the west;

19 4. The area bounded by Maryland Route 589 to the  
20 north and east, U.S. Route 50 to the south, and U.S. Route 113 to the west; and

21 5. From the intersection of Maryland Route 589 and  
22 U.S. Route 50, an area bounded by a line that extends 1,500 feet south of U.S. Route  
23 50, east to the boundary of the 10th taxing district, north along the 10th taxing  
24 district boundary to U.S. Route 50, and west to the intersection of Maryland Route 589  
25 and U.S. Route 50.

26 (iv) Seven-day license holders may sell beer, wine and liquor  
27 [(on-sale) and beer and light wine (off-sale)] **(ON-SALE AND OFF-SALE)**.

28 11-304.

29 (a) (2) Except as provided in this section, any person found consuming  
30 any alcoholic beverage on any premises open to the general public, and any owner,  
31 operator or manager of those premises or places who knowingly permits consumption  
32 between the hours provided by this section is guilty of a misdemeanor and, upon  
33 conviction, shall be fined not more than \$50 and not less than \$5.

1 (i) In Anne Arundel County the fine may not be more than  
2 \$250.

3 (ii) In Worcester County the fine may not be more than **[\$1,000]**  
4 **\$4,000.**

5 13–101.

6 (c) (1) A holder of any class of retail alcoholic beverages license or an  
7 employee designated by the holder shall complete training in an approved alcohol  
8 awareness program. The training shall be valid for a period of 4 years, and the holder  
9 shall complete retraining in an approved program for each successive 4–year period.

10 (2) (i) This paragraph applies only in the following jurisdictions:

11 1. Howard County;

12 2. Montgomery County;

13 3. Kent County;

14 4. Washington County;

15 5. Caroline County; **[and]**

16 6. Except as provided in subparagraph (ii) of this  
17 paragraph, Wicomico County; **AND**

18 **7. EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF**  
19 **THIS PARAGRAPH, WORCESTER COUNTY.**

20 (ii) This paragraph does not apply to a licensee in Wicomico  
21 County **OR WORCESTER COUNTY** with a Class C license.

22 (iii) The licensee or a person who is employed in a supervisory  
23 capacity designated by the licensee:

24 1. Shall be certified by an approved alcohol awareness  
25 program; and

26 2. Except as otherwise provided in subparagraph (iv) of  
27 this paragraph, be present during the hours in which alcohol may be sold.

28 (iv) 1. In Howard County, Kent County, Washington County,  
29 **[and]** Wicomico County, **AND WORCESTER COUNTY**, the person certified by an

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1 approved alcohol awareness program may be absent from the licensed premises for a  
2 bona fide personal or business reason or an emergency, if the absence lasts for not  
3 more than 2 hours.

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