

Chapter 117

(House Bill 455)

AN ACT concerning

Howard County – Alcoholic Beverages – Refillable Wine Containers

Ho. Co. 15–13

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

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

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

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

Article 2B – Alcoholic Beverages

7–101.

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

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

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

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

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

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

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

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

1. Be sealable;

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

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

4. Display instructions for cleaning the container; and

5. Bear a label stating [that]:

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

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

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

(v) An applicant who holds an alcoholic beverages license without an off-sale privilege shall meet the same advertising, posting of notice, and

public hearing requirements as those for the alcoholic beverages license that the applicant holds.

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

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

Approved by the Governor, April 9, 2013.