HOUSE BILL 1079

A2 4lr2467

By: Calvert County Delegation

Introduced and read first time: February 6, 2014

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

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Calvert County - Alcoholic Beverages - Refillable Container Permit

3 FOR the purpose of creating in Calvert County a refillable container permit; 4 authorizing the Board of License Commissioners to issue the permit to a holder 5 of certain classes of alcoholic beverages licenses issued by the Board; specifying 6 that a holder of the permit 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 permit to complete a 9 certain form; requiring a certain applicant to pay a certain fee; requiring that certain applicants meet certain advertising, posting-of-notice, and public 10 hearing requirements; specifying the term of the permit; specifying the hours of 11 12 sale for the permit; allowing a holder of the permit to refill only a refillable 13 container that was branded by a permit holder; requiring the Board to adopt certain regulations; and generally relating to alcoholic beverages in Calvert 14 15 County.

- 16 BY adding to
- 17 Article 2B Alcoholic Beverages
- 18 Section 8–205
- 19 Annotated Code of Maryland
- 20 (2011 Replacement Volume and 2013 Supplement)
- 21 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF 22 MARYLAND, That the Laws of Maryland read as follows:
- 23 Article 2B Alcoholic Beverages
- 24 **8–205.**
- 25 (A) THIS SECTION APPLIES ONLY IN CALVERT COUNTY.

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PERMIT:

IN THIS SECTION, "BOARD" MEANS THE BOARD OF LICENSE 1 2 COMMISSIONERS. THERE IS A REFILLABLE CONTAINER PERMIT. 3 (C) **(1)** 4 THE BOARD MAY ISSUE A REFILLABLE CONTAINER PERMIT TO 5 A HOLDER OF A CLASS A LICENSE, A CLASS B LICENSE, OR A CLASS D LICENSE. 6 **(3)** SUBJECT TO PARAGRAPH (4) OF THIS SUBSECTION, A 7 REFILLABLE CONTAINER PERMIT ENTITLES THE PERMIT HOLDER TO SELL DRAFT BEER FOR CONSUMPTION OFF THE LICENSED PREMISES IN A 8 9 REFILLABLE CONTAINER WITH A CAPACITY OF NOT LESS THAN 32 OUNCES AND NOT MORE THAN 128 OUNCES. 10 11 TO BE USED AS A REFILLABLE CONTAINER UNDER PARAGRAPH (3) OF THIS SUBSECTION, A CONTAINER SHALL: 1213 (I)BE SEALABLE; 14 (II)BE BRANDED WITH AN IDENTIFYING MARK OF THE 15 PERMIT HOLDER WHO SELLS THE CONTAINER; 16 (III) BEAR THE FEDERAL HEALTH WARNING STATEMENT 17 REQUIRED FOR CONTAINERS OF ALCOHOLIC BEVERAGES UNDER 27 C.F.R. 16.21; 18 19 (IV) DISPLAY INSTRUCTIONS FOR **CLEANING** THE 20**CONTAINER; AND** 21(V) BEAR A LABEL STATING THAT: 221. CLEANING THE CONTAINER \mathbf{IS} THE 23 RESPONSIBILITY OF THE CONSUMER; AND 2. THE 24CONTENTS OF THE CONTAINER 25PERISHABLE AND SHOULD BE REFRIGERATED IMMEDIATELY AND CONSUMED 26WITHIN 48 HOURS AFTER PURCHASE.

BEFORE THE BOARD ISSUES A REFILLABLE CONTAINER

(I) THE APPLICANT SHALL:

(5)

1 2	1. COMPLETE THE FORM THAT THE BOARD PROVIDES; AND
3	2. PAY AN ANNUAL PERMIT FEE OF \$1 FOR AN
4	APPLICANT WHOSE ALCOHOLIC BEVERAGES LICENSE HAS AN OFF-SALE
5	PRIVILEGE; AND
6	(II) AN APPLICANT WHO HOLDS A LICENSE WITHOUT AN
7	OFF-SALE PRIVILEGE SHALL MEET THE SAME ADVERTISING,
8	POSTING-OF-NOTICE, AND PUBLIC HEARING REQUIREMENTS AS THOSE FOR
9	THE LICENSE THAT THE APPLICANT HOLDS.
10	(6) The term of a refillable container permit issued to
11	A SUCCESSFUL APPLICANT IS THE SAME AS THAT OF THE LICENSE THAT THE
12	APPLICANT HOLDS.
13	(7) THE HOURS OF SALE FOR A REFILLABLE CONTAINER PERMIT:
L4	(I) BEGIN AT THE SAME TIME AS THOSE FOR THE LICENSE
15	ALREADY HELD BY THE PERSON TO WHOM THE REFILLABLE CONTAINER
16	PERMIT IS ISSUED; AND
L 7	(II) END AT MIDNIGHT.
18	(8) A PERMIT HOLDER MAY REFILL ONLY A REFILLABLE
19	CONTAINER THAT WAS BRANDED BY A PERMIT HOLDER.
20	(9) THE BOARD SHALL ADOPT REGULATIONS TO CARRY OUT THIS
20 21	SECTION.
11	SECTION.
22	SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
23	July 1, 2014.