

SENATE BILL 764

A2

4lr1714

By: **Senators Colburn and Hershey**

Introduced and read first time: January 31, 2014

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 5, 2014

CHAPTER _____

1 AN ACT concerning

2 **Caroline County – Volunteer Fire Companies – Storage of Alcoholic**
3 **Beverages**

4 FOR the purpose of authorizing volunteer fire companies in Caroline County to store
5 alcoholic beverages on licensed premises in between certain licensed events
6 under certain circumstances; requiring a license holder to keep certain records
7 of certain alcoholic beverages on the licensed premises for a certain period of
8 time; requiring that certain records be available for inspection by certain
9 personnel; requiring certain records to include a certain inventory of certain
10 alcoholic beverages; requiring certain personnel to be authorized to inspect the
11 premises of a certain license holder ~~during a certain event and, with certain~~
12 ~~notice, on a certain day~~ as provided under a certain provision of law; and
13 generally relating to alcoholic beverages in Caroline County.

14 BY repealing and reenacting, with amendments,
15 Article 2B – Alcoholic Beverages
16 Section 7–101(j)
17 Annotated Code of Maryland
18 (2011 Replacement Volume and 2013 Supplement)

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

21 **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 7-101.

2 (j) (1) The provisions of this subsection apply only in Caroline County.

3 (2) The Board of License Commissioners may grant special licenses of
4 any class, except manufacturer's and wholesaler's, which entitle the holder to exercise
5 any of the privileges conferred by the respective classes of licenses at any bona fide
6 entertainment held or conducted by any club, society, or association.

7 (3) The license shall be in the form prescribed by the Board, and the
8 applicant shall sign and swear to the license.

9 (4) The fee for each license is \$50.

10 (5) Before a license is issued, the fee shall be paid to the Board for the
11 use of the county.

12 (6) A special license may not be granted to any organization more than
13 12 times in any calendar year.

14 (7) (i) Instead of purchasing individual event licenses for a
15 particular class of license, an applicant may purchase a special multiple event license
16 for the same class of license.

17 (ii) Fees for a special multiple event license are:

- 18 1. \$250 for not more than 10 events per year;
19 2. \$500 for not more than 20 events per year;
20 3. \$750 for not more than 30 events per year; and
21 4. \$1,000 for not more than 40 events per year.

22 (iii) The total number of days for which special multiple event
23 licenses may be issued to a single applicant may not exceed 40 days per calendar year.

24 (iv) 1. The applicant shall pay in advance the fee for a
25 special multiple event license.

26 2. The Board may not issue a refund if the holder of the
27 license in a calendar year holds fewer than the number of events that the holder is
28 entitled to conduct.

29 (v) A special multiple event license shall be issued:

- 30 1. For one premises only; and

1 2. Subject to subparagraph (vi) of this paragraph, to the
2 same applicant for all events for which the license is issued, unless the Board in
3 writing approves a substitute applicant.

4 (vi) The Board may hold a hearing before approving a substitute
5 applicant under subparagraph (v)2 of this paragraph.

6 (vii) A server who is currently certified as having completed an
7 alcohol awareness program shall be on the premises for which a special multiple event
8 license is issued whenever alcoholic beverages are served under the license.

9 **(8) (I) THIS PARAGRAPH APPLIES ONLY TO VOLUNTEER FIRE**
10 **COMPANIES.**

11 **(II) ALCOHOLIC BEVERAGES MAY BE STORED ON THE**
12 **LICENSED PREMISES IN BETWEEN INDIVIDUAL LICENSED EVENTS IF THE**
13 **ALCOHOLIC BEVERAGES:**

14 1. **ARE IN A SPECIALLY IDENTIFIED LOCKED AND**
15 **SECURED LOCATION; AND**

16 2. **ARE NOT SOLD OR CONSUMED EXCEPT DURING**
17 **LICENSED EVENT HOURS FOR LICENSED EVENT PURPOSES.**

18 **(III) 1. A LICENSE HOLDER SHALL KEEP COMPLETE AND**
19 **ACCURATE RECORDS OF ALL ALCOHOLIC BEVERAGES PURCHASED AND SOLD ON**
20 **THE LICENSED PREMISES.**

21 2. **THE RECORDS SHALL BE:**

22 **A. MAINTAINED ON THE LICENSED PREMISES FOR 2**
23 **YEARS; AND**

24 **B. AVAILABLE FOR INSPECTION BY AUTHORIZED**
25 **PERSONNEL OF THE COMPTROLLER'S OFFICE AND THE BOARD OF LICENSE**
26 **COMMISSIONERS.**

27 3. **THE RECORDS SHALL INCLUDE A COMPLETED**
28 **PRE- AND POST-INVENTORY OF ALL ALCOHOLIC BEVERAGES FOR EACH**
29 **INDIVIDUAL EVENT.**

30 **(IV) AUTHORIZED PERSONNEL OF THE COMPTROLLER'S**
31 **OFFICE AND THE BOARD OF LICENSE COMMISSIONERS MAY INSPECT THE**
32 **PREMISES OF A LICENSE HOLDER;**

1 ~~1. DURING AN EVENT; AND~~

2 ~~2. WITH APPROPRIATE NOTICE TO THE LICENSE~~
3 ~~HOLDER, ON A DAY WHEN THERE IS NOT AN EVENT AS PROVIDED UNDER §~~
4 ~~16-405 OF THIS ARTICLE.~~

5 (v) A LICENSE HOLDER WHO VIOLATES THIS PARAGRAPH IS
6 SUBJECT TO:

7 1. FOR THE FIRST OFFENSE, A FINE OF \$100; AND

8 2. FOR THE SECOND OFFENSE, A FINE NOT
9 EXCEEDING \$500 AND DENIAL OF FUTURE REQUESTS FOR A LICENSE FOR AN
10 INDIVIDUAL EVENT OR A SPECIAL MULTIPLE EVENT LICENSE.

11 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
12 July 1, 2014.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.