

HB0756/503798/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 756
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike line 2 in its entirety and substitute “Alcoholic Beverages – Charles County and Queen Anne’s County”; in line 3, strike “a”; in the same line, strike “permit in” and substitute “permits for draft beer in Charles County and”; in line 4, after “the” insert “Charles County Board of License Commissioners and the”; strike beginning with “a” in line 4 down through “requirements;” in line 6 and substitute “the permits to holders of certain licenses under certain circumstances and conditions;”; in line 6, strike “entitles the holder” and substitute “authorizes the permit holders”; strike beginning with “certain” in line 7 down through “regulations” in line 13 and substitute “refillable container under certain circumstances and conditions; requiring an applicant to complete a certain form and to pay a certain fee before the Board of License Commissioners of Charles County or the Board of License Commissioners of Queen Anne’s County issues a refillable container permit; specifying certain hours of sale; restricting permit holders to refill only certain containers that meet certain standards; authorizing the Board of License Commissioners of Charles County and the Board of License Commissioners of Queen Anne’s County to adopt certain regulations; providing that a certain distance restriction does not apply to an establishment in Queen Anne’s County for which a Class B (on-sale) hotel and restaurant alcoholic beverages license of any type is proposed; repealing a certain distance restriction in Queen Anne’s County concerning a certain alcoholic beverages license”; in line 14, after “in” insert “Charles County and in”; after line 14, insert:

“BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages

Section 8-103 and 9-218(b)

Annotated Code of Maryland

(2011 Replacement Volume and 2014 Supplement)”;

(Over)

and in line 17, after “Section”, insert “8-209 and”.

AMENDMENT NO. 2

On page 1, after line 27, insert:

“8-103.

(a) (1) This section applies with respect to draft beer in the following jurisdictions:

(i) Baltimore County;

(ii) Carroll County;

(iii) **CHARLES COUNTY;**

(IV) Harford County;

~~[(iv)](v)~~ Howard County;

~~[(v)](vi)~~ Prince George’s County; [and]

(VII) QUEEN ANNE’S COUNTY; AND

~~[(vi)](viii)~~ St. Mary’s County.

(2) This section applies with respect to wine in Howard County.

(b) There is a refillable container permit.

(c) With respect to the alcoholic beverages authorized for the local jurisdiction under subsection (a) of this section, a refillable container permit entitles the permit holder to sell draft beer or wine, respectively, for consumption off the licensed premises in a refillable container that meets the standards under § 21-107 of this article.

(d) The term of a refillable container permit is the same as that of the underlying alcoholic beverages license.

(e) Except as otherwise specifically provided, the hours of sale for a refillable container permit are the same as those for the underlying alcoholic beverages license.

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

(g) A holder of a refillable container permit may refill only a refillable container that meets the standards under § 21-107 of this article.

8-209.

(A) THIS SECTION APPLIES ONLY IN CHARLES COUNTY.

(B) IN THIS SECTION, "BOARD" MEANS THE CHARLES COUNTY BOARD OF LICENSE COMMISSIONERS.

(C) THERE IS A REFILLABLE CONTAINER PERMIT.

(D) THE BOARD MAY ISSUE A REFILLABLE CONTAINER PERMIT TO A HOLDER OF A CLASS A, CLASS B, OR CLASS D ALCOHOLIC BEVERAGES LICENSE.

(E) BEFORE THE BOARD ISSUES A REFILLABLE CONTAINER PERMIT, THE APPLICANT SHALL:

(1) COMPLETE THE FORM THAT THE BOARD PROVIDES; AND

(2) PAY AN ANNUAL PERMIT FEE OF:

(I) \$500 FOR AN APPLICANT WHOSE ALCOHOLIC BEVERAGES LICENSE DOES NOT HAVE AN OFF-SALE PRIVILEGE; OR

(II) \$50 FOR AN APPLICANT WHOSE ALCOHOLIC BEVERAGES LICENSE HAS AN OFF-SALE PRIVILEGE.

(F) THE HOURS OF SALE FOR A REFILLABLE CONTAINER PERMIT:

(1) BEGIN AT THE SAME TIME AS THOSE FOR THE LICENSE ALREADY HELD BY THE PERSON TO WHOM THE REFILLABLE CONTAINER PERMIT IS ISSUED; AND

(2) END AT MIDNIGHT.

(G) THE BOARD MAY ADOPT REGULATIONS TO CARRY OUT THIS SECTION.”.

AMENDMENT NO. 3

On page 2, in line 2, after “(A)” insert “(1)”; in line 3, strike “(B)” and substitute “(2)”; in the same line, after “THE” insert “QUEEN ANNE’S COUNTY”; in lines 5, 6, 8, and 15, strike “(C)”, “(D)”, “(E) (1)”, and “(F) (1)”, respectively, and substitute “(B)”, “(C) (1)”, “(2)”, and “(3)”, respectively; in line 7, after “D” insert “ALCOHOLIC BEVERAGES”; in line 8, strike “SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION,

A” and substitute “A”; in line 9, strike “LICENSE”; strike beginning with “WITH” in line 10 down through the second “OUNCES” in line 11 and substitute “THAT MEETS THE STANDARDS UNDER § 21-107 OF THIS ARTICLE”; strike in their entirety lines 12 through 14, inclusive; in line 16, strike “TO AN APPLICANT”; and strike in their entirety lines 23 through 29, inclusive.

On page 3, in lines 1, 2, 5, and 9, strike “(H)”, “(1)”, “(2)”, and “(J)”, respectively, and substitute “(4)”, “(I)”, “(II)”, and “(5)”, respectively; strike in their entirety lines 6 through 8, inclusive; and after line 9, insert:

“9-218.

(b) (1) (I) SUBPARAGRAPH (II) OF THIS PARAGRAPH DOES NOT APPLY TO AN ESTABLISHMENT FOR WHICH A CLASS B (ON-SALE) HOTEL AND RESTAURANT LICENSE OF ANY TYPE IS PROPOSED.

(II) In Queen Anne’s County, the distance restriction requirement between an establishment proposed for licensure and a secondary or elementary school, church or other place of worship, public library, or a youth center that is sponsored or conducted by any governmental agency shall be[:

(i) 500 feet[; or

(ii) For a Class B (on-sale) hotel and restaurant beer, wine and liquor license, 250 feet].

(2) Any distance restriction required under paragraph (1) of this subsection shall be measured from the nearest point of the building of the establishment for which a license is proposed to the nearest point of the property line of the school, place of worship, library, or youth center.”.

(Over)

HB0756/503798/1
Amendments to HB 756
Page 6 of 6

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AMENDMENT NO. 4

On page 4, in line 17, strike “October” and substitute “July”.