

Chapter 130

**(House Bill 1090)**

AN ACT concerning

**Howard County – Alcoholic Beverages – Continuing Care Retirement  
Community License**

**Ho. Co. 15–16**

FOR the purpose of creating in Howard County an exception to the alcoholic beverages license application or renewal requirements for a Class C (continuing care retirement community) beer, wine, and liquor license issued to a nonprofit organization; requiring that the license be applied for and issued to a manager or supervisor and two officers under certain circumstances; allowing residents and their guests in a continuing care retirement community that holds the license to consume ~~wine~~ beer, wine, or liquor not purchased from the community under certain circumstances; and generally relating to continuing care retirement community alcoholic beverages licenses in Howard County.

BY repealing and reenacting, without amendments,

Article – Alcoholic Beverages

Section 23–102

Annotated Code of Maryland

(As enacted by Chapter \_\_\_\_ (S.B. \_\_\_\_)(6lr1406) of the Acts of the General Assembly of 2016)

BY repealing and reenacting, with amendments,

Article – Alcoholic Beverages

Section 23–1404(a) and 23–2704

Annotated Code of Maryland

(As enacted by Chapter \_\_\_\_ (S.B. \_\_\_\_)(6lr1406) of the Acts of the General Assembly of 2016)

BY adding to

Article – Alcoholic Beverages

Section 23–1404(d)

Annotated Code of Maryland

(As enacted by Chapter \_\_\_\_ (S.B. \_\_\_\_)(6lr1406) of the Acts of the General Assembly of 2016)

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

**Article – Alcoholic Beverages**

23-102.

This title applies only in Howard County.

23-1404.

(a) Except as provided in [subsection (c)] **SUBSECTIONS (C) AND (D)** of this section, an applicant for a new license for a corporation or limited liability company shall certify that as long as the applicant is the holder of the license, the applicant shall:

(1) own at least 10% of the stock in the corporation or interest in the limited liability company; or

(2) (i) serve as the manager or supervisor of the corporation or limited liability company; and

(ii) be physically present on a full-time basis at the licensed premises of the corporation or limited liability company to conduct the daily business involving transactions concerning alcoholic beverages sales.

**(D) (1) THE REQUIREMENTS UNDER SUBSECTION (A) OF THIS SECTION DO NOT APPLY TO AN APPLICATION FOR OR RENEWAL OF A CLASS C (CONTINUING CARE RETIREMENT COMMUNITY) BEER, WINE, AND LIQUOR LICENSE BY A NONPROFIT ORGANIZATION IF THE MANAGER OR SUPERVISOR OF THE CONTINUING CARE RETIREMENT COMMUNITY:**

**(I) IS IDENTIFIED ON THE APPLICATION;**

**(II) RECEIVES ALCOHOL AWARENESS TRAINING FROM AN APPROVED ALCOHOL AWARENESS TRAINING PROGRAM; AND**

**(III) IS PHYSICALLY PRESENT AT THE CONTINUING CARE RETIREMENT COMMUNITY ON A FULL-TIME BASIS.**

**(2) A CONTINUING CARE RETIREMENT COMMUNITY LICENSE SHALL BE ISSUED TO:**

**(I) A MANAGER OR SUPERVISOR; AND**

**(II) TWO OFFICERS, ONE OF WHOM SHALL HAVE BEEN A RESIDENT OF THE COUNTY FOR AT LEAST 2 YEARS BEFORE THE APPLICATION IS FILED AND BE A REGISTERED VOTER AND TAXPAYER OF THE COUNTY WHEN THE APPLICATION IS FILED.**

23-2704.

(a) (1) The prohibitions in §§ 6–308 and 6–319 of this article concerning the on–premises consumption of alcoholic beverages not purchased from a license holder do not apply to a social event, including a dance, wedding, or fundraiser, that is held in a hall rented from and located on the premises of a veterans organization that holds a license.

[(b)] (2) The veterans organization may not sell or provide alcoholic beverages to the individuals attending the social event.

**(B) RESIDENTS AND GUESTS OF RESIDENTS IN A CONTINUING CARE RETIREMENT COMMUNITY THAT HOLDS A CLASS C (CONTINUING CARE RETIREMENT COMMUNITY) BEER, WINE, AND LIQUOR LICENSE MAY CONSUME ~~WINE~~ BEER, WINE, OR LIQUOR NOT PURCHASED FROM THE CONTINUING CARE RETIREMENT COMMUNITY IF:**

**(1) ~~THE WINE~~ BEER, WINE, OR LIQUOR IS CONSUMED WITH A MEAL IN THE DINING ROOM; AND**

**(2) THE CONTINUING CARE RETIREMENT COMMUNITY:**

**(I) IS OPERATED BY A NONPROFIT ORGANIZATION FOR THE CONTINUING CARE RETIREMENT OF INDIVIDUALS AT LEAST 60 YEARS OLD;**

**(II) HAS BEEN INCORPORATED FOR AT LEAST 1 YEAR;**

**(III) HAS OBTAINED A CERTIFICATE OF REGISTRATION FROM THE DEPARTMENT OF AGING UNDER TITLE 10, SUBTITLE 4 OF THE HUMAN SERVICES ARTICLE; AND**

**(IV) PREPARES AND SERVES MEALS DURING REGULAR OPERATING HOURS TO RESIDENTS AND THEIR GUESTS.**

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2016.

**Approved by the Governor, April 12, 2016.**