

## Article - Alcoholic Beverages

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§6-701.

- (a) This section applies throughout the State.
- (b) The State Comptroller may issue a statewide caterer's (SCAT) license to a person who:
  - (1) Is engaged in the business of catering;
  - (2) Meets all State and local requirements, and holds all requisite licenses relating to the catering business conducted;
  - (3) Holds any catering license that may be required under this article in the local political subdivision in which the person's principal office is located;
  - (4) (i) Holds an existing permanent retail alcoholic beverages license, other than a Class C license; or  
(ii) Does not hold an alcoholic beverages license but who has a permanent office and storage facility for alcoholic beverages in the State; and
  - (5) Meets all other requirements under this section.
- (c) The holder of a SCAT license may acquire alcoholic beverages:
  - (1) If the holder operates under a permanent retail alcoholic beverages license, through a licensed wholesaler; or
  - (2) Except as provided in § 15-204 of this article, through a licensed retail dealer located in the State that has off-sale privileges.
- (d) (1) The SCAT license may be issued as a general or limited license.
  - (2) A general SCAT license shall authorize the holder to operate in any political subdivision of the State provided that the holder complies with all other provisions of this subtitle.
  - (3) A limited SCAT license shall authorize the holder to operate in not more than three contiguous designated political subdivisions of the State provided that:
    - (i) The holder complies with all other provisions of this subtitle; and
    - (ii) The total population of the designated political subdivisions does not exceed 1,000,000, based upon the most recent applicable population records of the Department of Health and Mental Hygiene.

(4) Except as provided in paragraph (3) of this subsection, all privileges conferred under a SCAT license shall be applicable to a general or limited SCAT license.

(e) (1) The annual fees for a SCAT license are:

(i) For a general SCAT license, \$2,000;

(ii) For a limited SCAT license, the fee shall be based upon the most recent applicable population records of the designated political subdivisions, as compiled by the Department of Health and Mental Hygiene, as follows:

1. A population of not more than 300,000..... \$750;
2. A population of more than 300,000, but less than 600,000..... \$1,000; and
3. A population of at least 600,000..... \$1,500.

(2) Notwithstanding the provisions of paragraph (1) of this subsection, an applicant for a SCAT license who holds a permanent retail license and a special catering license, or who pays an additional fee for the privilege of catering in the applicant's political subdivision, shall be entitled to a license fee credit not to exceed the additional catering fee paid in the political subdivision, provided that there is a minimum license fee payment of \$250 for a general or limited SCAT license.

(f) (1) The holder of a SCAT license:

(i) May serve alcoholic beverages at a catered event throughout the State to individuals 21 years of age or older on an unlicensed premises or on a premises for which a temporary alcoholic beverages license has been issued by the local board of license commissioners; and

(ii) May store unused alcoholic beverages at the holder's principal place of business for use at future catered events.

(2) A licensed retailer who operates solely in the political subdivision under authority of the local board of license commissioners need not acquire a SCAT license.

(g) (1) To enforce the prohibitions under § 12-108 of this article against selling or furnishing alcoholic beverages to persons who are under 21 years of age or visibly under the influence of an alcoholic beverage, the local board of license commissioners may conduct investigations at catered events.

(2) If a local board of license commissioners determines that sales have been made unlawfully, the board shall report its findings to the State Comptroller, who shall take the action that the State Comptroller determines is appropriate.

- (h) (1) A holder of a SCAT license:
  - (i) Shall supply service personnel, including bartenders and waiters, at the events that the holder caters;
  - (ii) Shall ensure that the service personnel are present at all times during the events; and
  - (iii) May not deliver alcoholic beverages under the SCAT license to a catered event without service personnel on the premises.
- (2) At the end of a catered event, all full containers of alcoholic beverages must be returned to the principal place of business of the holder of the SCAT license.
  - (i) To ensure product integrity, a partial keg of malt beverage may not be used at another catered event.
  - (j) At each catered event at which alcoholic beverages products are served:
    - (1) A holder of a SCAT license shall have at least one individual on-site who has been certified by an alcoholic awareness program that is licensed by the State Comptroller; and
    - (2) The sale of food shall represent at least 70% of the total cost of the event.
  - (k) Except when operating under a permanent on-premises retail alcoholic beverages license issued by a local licensing authority, a holder of a SCAT license may not serve alcoholic beverages at the holder's principal office and may not serve alcoholic beverages at any event for which the holder is a sponsor or promoter.
  - (l) The holder of a SCAT license may sell and serve alcoholic beverages only during the hours and days that the holder of a Class B license may operate in the jurisdiction where the catered event is conducted.
  - (m) The State Comptroller may adopt regulations to establish reporting requirements and to carry out this section.

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