

HOUSE BILL 1068

A2

(6lr0938)

ENROLLED BILL

— *Economic Matters/ Education, Health, and Environmental Affairs* —

Introduced by **Delegates Hammen, Clippinger, and Lierman**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o'clock, _____ M.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 **Baltimore City – Alcoholic Beverages – Pub Crawl Promoter’s Permits**

3 FOR the purpose of creating a pub crawl promoter’s permit in Baltimore City; authorizing
4 the Baltimore City Board of License Commissioners to issue a pub crawl promoter’s
5 permit to a certain applicant who has submitted an application to the Board of
6 License Commissioners no less than a certain number of days before a certain date;
7 requiring an applicant to obtain a certain special event permit and provide a copy of
8 the special event permit and provide a completed application and any other document
9 that the Board requires to the Board of License Commissioners before being issued
10 the pub crawl promoter’s permit; requiring certain license holders to sign and date a
11 certain application ~~and pay a certain fee~~; requiring the Board to take a certain action
12 within a certain time period; specifying that the permit authorizes the holder to
13 conduct a pub crawl; requiring a pub crawl to be held on certain premises; specifying
14 the duration of a permit; authorizing the Board of License Commissioners to adopt
15 certain regulations; specifying a certain application fee and permit fee; establishing

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.

Italics indicate opposite chamber/conference committee amendments.



1 ~~a certain penalty~~ penalties; defining certain terms; and generally relating to pub
2 crawl promoter's permits in Baltimore City.

3 BY adding to

4 Article – Alcoholic Beverages

5 Section 12–1101.1

6 Annotated Code of Maryland

7 (As enacted by Chapter ___ (S.B. ___)(6lr1406) of the Acts of the General Assembly
8 of 2016)

9 BY repealing and reenacting, without amendments,

10 Article – Alcoholic Beverages

11 Section 12–2801

12 Annotated Code of Maryland

13 (As enacted by Chapter ___ (S.B. ___)(6lr1406) of the Acts of the General
14 Assembly of 2016)

15 BY repealing and reenacting, with amendments,

16 Article – Alcoholic Beverages

17 Section 12–2802

18 Annotated Code of Maryland

19 (As enacted by Chapter ___ (S.B. ___)(6lr1406) of the Acts of the General
20 Assembly of 2016)

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

23 **Article – Alcoholic Beverages**

24 **12–1101.1.**

25 ~~(A) IN THIS SECTION, “PUB CRAWL” MEANS AN EVENT DURING WHICH AN~~
26 ~~ORGANIZED GROUP OF AT LEAST 3 LICENSE HOLDERS UNDER THIS TITLE OFFER~~
27 ~~DISCOUNTED ALCOHOLIC BEVERAGES DURING A SPECIFIED TIME TO A GROUP OF~~
28 ~~PARTICIPANTS IN THE EVENT.~~

29 **(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS**
30 **INDICATED.**

31 **(2) “PUB CRAWL” MEANS AN EVENT IN WHICH:**

32 **(I) AN ORGANIZED GROUP OF AT LEAST THREE LICENSE**
33 **HOLDERS WHOSE PREMISES ARE WITHIN WALKING DISTANCE OF EACH OTHER**
34 **PARTICIPATES IN A COORDINATED PROMOTION TO SELL OR PROVIDE ALCOHOLIC**
35 **BEVERAGES DURING A SPECIFIED TIME; AND**

1 (II) AT LEAST 75 INDIVIDUALS ARE REASONABLY ANTICIPATED
 2 TO PARTICIPATE.

3 (3) "PUB CRAWL PROMOTER" MEANS AN INDIVIDUAL, A FOR-PROFIT
 4 ORGANIZATION, OR A NONPROFIT ORGANIZATION THAT CONDUCTS A PUB CRAWL.

5 (B) THERE IS A PUB CRAWL PROMOTER'S PERMIT.

6 (C) ~~A FOR-PROFIT ORGANIZATION OR A NONPROFIT ORGANIZATION~~ PUB
 7 CRAWL PROMOTER OR A PARTICIPATING LICENSE HOLDER ON BEHALF OF A PUB
 8 CRAWL PROMOTER SHALL OBTAIN THE PERMIT FROM THE BOARD BEFORE THE
 9 ~~ORGANIZATION~~ PUB CRAWL PROMOTER MAY PUBLICIZE, SELL TICKETS FOR,
 10 ORGANIZE, OPERATE, PRODUCE, OR STAGE A PUB CRAWL.

11 (D) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION,
 12 THE BOARD MAY ~~ISSUE~~ GRANT THE PERMIT TO AN APPLICANT WHO SUBMITS AN
 13 APPLICATION TO THE BOARD AS PROVIDED UNDER TITLE 4 OF THIS ARTICLE AT
 14 LEAST 42 DAYS BEFORE THE DATE OF THE PUB CRAWL.

15 (2) BEFORE BEING ~~ISSUED~~ GRANTED THE PERMIT, AN APPLICANT
 16 SHALL:

17 (I) OBTAIN A SPECIAL EVENT PERMIT FROM THE BALTIMORE
 18 CITY DEPARTMENT OF TRANSPORTATION; ~~AND~~

19 (II) PROVIDE A COPY OF THE SPECIAL EVENT PERMIT TO THE
 20 ~~BOARD.~~

21 ~~(3) EACH LICENSE HOLDER THAT PARTICIPATES IN THE PUB CRAWL~~
 22 ~~SHALL:~~

23 ~~(I) SIGN AND DATE THE APPLICATION; AND~~

24 ~~(II) PAY TO THE BOARD A \$100 PARTICIPATION FEE.~~

25 BOARD; AND

26 (III) PROVIDE A COMPLETED APPLICATION THAT:

27 1. IS SIGNED AND DATED BY EACH LICENSE HOLDER
 28 THAT WILL PARTICIPATE IN THE PUB CRAWL;

29 2. LISTS EACH PREMISES FOR WHICH THE PUB CRAWL
 30 WILL BE HELD; AND

1 3. IS ACCOMPANIED BY ANY OTHER DOCUMENT THAT
 2 THE BOARD REQUIRES.

3 (3) AN APPLICATION MAY NOT BE ALTERED WITHIN 30 DAYS BEFORE
 4 THE PUB CRAWL IS SCHEDULED TO TAKE PLACE.

5 (4) WITHIN 14 DAYS AFTER RECEIVING AN APPLICATION, THE BOARD
 6 SHALL GRANT OR DENY THE PERMIT OR REQUEST MORE INFORMATION FROM THE
 7 APPLICANT.

8 (E) THE PERMIT AUTHORIZES THE ~~PERMIT HOLDER~~ PUB CRAWL PROMOTER
 9 AND PARTICIPATING LICENSE HOLDERS TO CONDUCT A PUB CRAWL.

10 ~~(F) EACH PREMISES FOR WHICH A PUB CRAWL IS HELD SHALL BE:~~

11 ~~(1) ISSUED A LICENSE UNDER THIS TITLE; AND~~

12 ~~(2) LISTED ON THE APPLICATION FOR THE PERMIT.~~

13 ~~(G)~~ (F) THE PERMIT FOR EACH PUB CRAWL MAY BE IN EFFECT FOR THE
 14 TIME STATED ON THE SPECIAL EVENT PERMIT REQUIRED UNDER SUBSECTION
 15 (D)(2) OF THIS SECTION.

16 ~~(H)~~ (G) THE BOARD MAY ADOPT REGULATIONS ESTABLISHING THE
 17 REQUIREMENTS FOR:

18 (1) CONDUCTING A PUB CRAWL, INCLUDING HEALTH AND SAFETY
 19 STANDARDS TO BE MET BY THE ~~PERMIT HOLDER~~ PUB CRAWL PROMOTER AND
 20 PARTICIPATING LICENSE HOLDERS; AND

21 (2) PROVIDING PUBLIC NOTICE OF A PUB CRAWL AT THE PREMISES OF
 22 PARTICIPATING LICENSE HOLDERS BY THE PUB CRAWL PROMOTER OR
 23 PARTICIPATING LICENSE HOLDERS.

24 ~~(I) THE APPLICATION FEE IS \$50.~~

25 ~~(J) THE PERMIT FEE IS \$250.~~

26 (H) (1) THE APPLICATION FEE IS \$50, PAYABLE ON THE SUBMISSION OF
 27 THE APPLICATION.

28 (2) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE
 29 PERMIT FEE, PAYABLE WHEN THE PERMIT IS GRANTED, IS:

1 1. \$120; AND

2 2. \$100 FOR EACH LICENSE HOLDER THAT
3 PARTICIPATES IN THE PUB CRAWL.

4 (II) ON RECEIPT OF AN APPLICATION, THE BOARD MAY REDUCE
5 THE PERMIT FEE BY NOT MORE THAN 50% IF THE APPLICANT SHOWS THAT THE
6 PROCEEDS FROM THE PUB CRAWL AFTER ADMINISTRATIVE EXPENSES ARE
7 DEDUCTED SHALL BE USED TO BENEFIT AN ORGANIZATION THAT IS EXEMPT FROM
8 TAXATION UNDER § 501(C)(3) OF THE INTERNAL REVENUE CODE.

9 12-2801.

10 Section 6-402 (“General penalty”) of Division I of this article applies in the City.

11 12-2802.

12 (a) For a violation that is cause for suspension of a license, the Board may:

13 (1) except as provided in [subsection (b)] **SUBSECTIONS (B) AND (C)** of
14 this section, for a first offense, impose a fine not exceeding \$500 or suspend the license or
15 both; or

16 (2) **EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION**, for
17 each subsequent offense, impose a fine not exceeding \$3,000 or suspend the license or both.

18 (b) For a first offense of selling alcoholic beverages to an individual under the age
19 of 21 years, the Board may impose a fine not exceeding \$1,000 or suspend the license or
20 both.

21 (c) **(1) FOR THE OFFENSE OF PUBLICIZING, SELLING TICKETS FOR,**
22 **ORGANIZING, OPERATING, PRODUCING, FACILITATING, OR STAGING A PUB CRAWL**
23 **~~WITHOUT OBTAINING~~ WITH THE KNOWLEDGE OR A REASON TO KNOW THAT A PUB**
24 **CRAWL PROMOTER’S PERMIT ~~AS~~ REQUIRED UNDER § 12-1101.1 OF THIS TITLE HAS**
25 **NOT BEEN OBTAINED, THE BOARD SHALL IMPOSE A FINE OF NOT LESS THAN \$1,000**
26 **AND NOT MORE THAN \$3,000 OR SUSPEND THE LICENSE OR BOTH.**

27 **(2) A PERSON WHO VIOLATES § 12-1101.1 OF THIS TITLE MAY NOT BE**
28 **GRANTED A PROMOTER’S PERMIT FOR AT LEAST 1 YEAR.**

29 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
30 1, 2016.