

HOUSE BILL 1090

A2

6lr2968
CF SB 670

By: **Howard County Delegation**

Introduced and read first time: February 11, 2016

Assigned to: Economic Matters

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 11, 2016

CHAPTER _____

1 AN ACT concerning

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

4 **Ho. Co. 15–16**

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

14 BY repealing and reenacting, without amendments,
15 Article – Alcoholic Beverages
16 Section 23–102
17 Annotated Code of Maryland
18 (As enacted by Chapter ____ (S.B. ____)(6lr1406) of the Acts of the General
19 Assembly of 2016)

20 BY repealing and reenacting, with amendments,
21 Article – Alcoholic Beverages
22 Section 23–1404(a) and 23–2704

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 Annotated Code of Maryland
 2 (As enacted by Chapter ____ (S.B. ____)(6lr1406) of the Acts of the General
 3 Assembly of 2016)

4 BY adding to
 5 Article – Alcoholic Beverages
 6 Section 23–1404(d)
 7 Annotated Code of Maryland
 8 (As enacted by Chapter ____ (S.B. ____)(6lr1406) of the Acts of the General
 9 Assembly of 2016)

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

12 **Article – Alcoholic Beverages**

13 23–102.

14 This title applies only in Howard County.

15 23–1404.

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

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

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

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

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

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

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

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

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

5 (I) A MANAGER OR SUPERVISOR; AND

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

10 23-2704.

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

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

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

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

24 (2) THE CONTINUING CARE RETIREMENT COMMUNITY:

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

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

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

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

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
4 1, 2016.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.