

HOUSE BILL 1090

A2

6lr2968
CF SB 670

By: **Howard County Delegation**

Introduced and read first time: February 11, 2016

Assigned to: Economic Matters

A BILL ENTITLED

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

13 BY repealing and reenacting, without amendments,

14 Article – Alcoholic Beverages

15 Section 23–102

16 Annotated Code of Maryland

17 (As enacted by Chapter ____ (S.B. ____)(6lr1406) of the Acts of the General
18 Assembly of 2016)

19 BY repealing and reenacting, with amendments,

20 Article – Alcoholic Beverages

21 Section 23–1404(a) and 23–2704

22 Annotated Code of Maryland

23 (As enacted by Chapter ____ (S.B. ____)(6lr1406) of the Acts of the General
24 Assembly of 2016)

25 BY adding to

26 Article – Alcoholic Beverages

27 Section 23–1404(d)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

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

6 **Article – Alcoholic Beverages**

7 23–102.

8 This title applies only in Howard County.

9 23–1404.

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

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

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

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

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

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

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

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

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

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

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

6 23-2704.

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

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

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

17 **(1) THE WINE IS CONSUMED WITH A MEAL IN THE DINING ROOM;**
18 **AND**

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

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

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

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

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

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