

SENATE BILL 670

A2

6lr1722
CF 6lr2968

By: **Senator Kasemeyer**

Introduced and read first time: February 5, 2016

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

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

4 FOR the purpose of creating in Howard County an exception to the alcoholic beverages
5 license application or renewal requirements for a Class C (continuing care
6 retirement community) beer, wine, and liquor license issued to a nonprofit
7 organization; requiring that the license be applied for and issued to a manager or
8 supervisor and two officers under certain circumstances; allowing residents and
9 their guests in a continuing care retirement community that holds the license to
10 consume beer, wine, or liquor 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)
28 Annotated Code of Maryland

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(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 A 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:

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 BEER,**
16 **WINE, OR LIQUOR NOT PURCHASED FROM THE CONTINUING CARE RETIREMENT**
17 **COMMUNITY IF:**

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

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

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

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

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

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

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