

SENATE BILL 670

A2

6lr1722
CF HB 1090

By: **Senator Kasemeyer**

Introduced and read first time: February 5, 2016

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable

Senate action: Adopted

Read second time: March 8, 2016

CHAPTER _____

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

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

3 BY adding to

4 Article – Alcoholic Beverages

5 Section 23–1404(d)

6 Annotated Code of Maryland

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

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

11 **Article – Alcoholic Beverages**

12 23–102.

13 This title applies only in Howard County.

14 23–1404.

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

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

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

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

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

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

31 **(II) RECEIVES ALCOHOL AWARENESS TRAINING FROM AN**
32 **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 BEER,**
20 **WINE, OR LIQUOR NOT PURCHASED FROM THE CONTINUING CARE RETIREMENT**
21 **COMMUNITY IF:**

22 **(1) THE BEER, WINE, OR LIQUOR IS CONSUMED WITH A MEAL IN THE**
23 **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**

SENATE BILL 670

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.

President of the Senate.

Speaker of the House of Delegates.