

## Chapter 591

**(House Bill 1072)**

AN ACT concerning

**Garrett County – Alcoholic Beverages – Various Licenses**

FOR the purpose of specifying certain annual fees for certain ~~7-day~~ alcoholic beverages licenses; altering the number of days after the expiration date of a wine festival license that a holder of a State wholesale, Class 3 winery, or Class 4 limited winery license may accept returns from a holder of a wine festival license; providing that the Garrett County Board of License Commissioners is not required to hold a hearing before issuing certain Class C temporary licenses; and generally relating to alcoholic beverages in Garrett County.

BY repealing and reenacting, without amendments,

Article – Alcoholic Beverages

Section 21-102, 21-601(a), 21-602(a), 21-604(a), 21-701(a), 21-801(a), 21-802(a), 21-803(a), 21-805(a), 21-902(a), 21-903(a), 21-904(b), 21-905(a)(1), 21-1001(a), 21-1002(a), and 21-1305(a)(1)

Annotated Code of Maryland

(As enacted by Chapter \_\_\_\_ (S.B.724) of the Acts of the General Assembly of 2016)

BY repealing and reenacting, with amendments,

Article – Alcoholic Beverages

Section 21-601(c), 21-602(d), 21-604(c), 21-701(d), 21-801(c), 21-802(d), 21-803(e), 21-805(e), 21-902(g), ~~21-903(f)~~, 21-904(g), 21-905(e), 21-1001(e), 21-1002(e), 21-1305(i), 21-1309, and 21-1501

Annotated Code of Maryland

(As enacted by Chapter \_\_\_\_ (S.B. 724) of the Acts of the General Assembly of 2016)

BY adding toArticle – Alcoholic Beverages

Section 21-602(e), 21-802(e), 21-803(f), 21-805(f), 21-902(h), 21-903(f) and (g), and 21-905(f)

Annotated Code of Maryland(As enacted by Chapter \_\_\_\_ (S.B. 724) of the Acts of the General Assembly of 2016)BY repealingArticle – Alcoholic BeveragesSection 21-903(f)Annotated Code of Maryland(As enacted by Chapter \_\_\_\_ (S.B. 724) 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

21-102.

This title applies only in Garrett County.

21-601.

(a) There is a Class A beer license.

(c) (1) The annual license [fee is] **FEES ARE:**

**(I) \$150 FOR A 6-DAY LICENSE; AND**

**(II) \$175 FOR A 7-DAY LICENSE.**

(2) The ~~new license~~ **BOARD SHALL CHARGE A ONE-TIME** issuing fee ~~is \$150 and shall be paid in addition~~ **FOR A NEW LICENSE IN AN AMOUNT EQUAL** to the annual license fee.

21-602.

(a) There is a Class B beer license.

(d) The ANNUAL LICENSE fees are:

(1) **\$150** for a **6-DAY** license without a catering option~~;~~

~~(i) \$150 for a one-time issuing fee; and~~

~~(ii) \$150 for the annual license fee; [and]~~

(2) **\$250** for a **6-DAY** license with a catering option~~;~~

~~(i) \$250 for a one-time issuing fee; and~~

~~(ii) \$250 for the annual license fee;~~

**(3) \$175 FOR A 7-DAY LICENSE WITHOUT A CATERING OPTION~~;~~**

~~(i) \$175 FOR A ONE-TIME ISSUING FEE; AND~~

~~(ii) \$150 FOR THE ANNUAL LICENSE FEE; AND~~

(4) ~~\$275~~ FOR A 7-DAY LICENSE WITH A CATERING OPTION;

~~(I) \$275 FOR A ONE-TIME ISSUING FEE; AND~~

~~(II) \$250 FOR THE ANNUAL LICENSE FEE.~~

(E) THE BOARD SHALL CHARGE A ONE-TIME ISSUING FEE FOR A NEW LICENSE IN AN AMOUNT EQUAL TO THE ANNUAL LICENSE FEE.

21-604.

(a) There is a Class D beer license.

(c) (1) The annual license [fee is] FEES ARE:

(I) \$150 FOR A 6-DAY LICENSE; AND

(II) \$175 FOR A 7-DAY LICENSE.

(2) The ~~new license issuing fee is \$150 and~~ BOARD shall be paid in addition CHARGE A ONE-TIME ISSUING FEE FOR A NEW LICENSE IN AN AMOUNT EQUAL to the annual license fee.

21-701.

(a) There is a Class A wine license in the County.

(d) (1) The ~~one-time license issuing fee is \$50.~~

~~(2)~~ The annual license [fee is] FEES ARE:

(I) \$50 FOR A 6-DAY LICENSE; AND

(II) \$60 FOR A 7-DAY LICENSE.

(2) THE BOARD SHALL CHARGE A ONE-TIME ISSUING FEE FOR A NEW LICENSE IN AN AMOUNT EQUAL TO THE ANNUAL LICENSE FEE.

21-801.

(a) There is a Class A beer and wine license.

(c) (1) The annual license [fee is] FEES ARE:

(I) \$350 FOR A 6-DAY LICENSE; AND

**(II) \$410 FOR A 7-DAY LICENSE.**

(2) ~~The issuing fee for a new license is \$350, in addition~~ **BOARD SHALL CHARGE A ONE-TIME ISSUING FEE FOR A NEW LICENSE IN AN AMOUNT EQUAL** to the annual license fee.

21-802.

(a) There is a Class B beer and wine license.

**(d) THE ANNUAL LICENSE FEES ARE:**

(1) ~~For \$350 FOR~~ a 6-DAY license without a catering option:

(i) ~~the issuing fee for a new license is \$350; and~~

(ii) ~~the annual fee is \$350;~~

(2) ~~For \$475 FOR~~ a 6-DAY license with a catering option:

(i) ~~the issuing fee for a new license is \$475; and~~

(ii) ~~the annual fee is \$475;~~

(3) ~~FOR \$410 FOR A 7-DAY LICENSE WITHOUT A CATERING OPTION;~~

(i) ~~THE ISSUING FEE FOR A NEW LICENSE IS \$410; AND~~

(ii) ~~THE ANNUAL FEE IS \$350; AND~~

(4) ~~FOR \$535 FOR A 7-DAY LICENSE WITH A CATERING OPTION;~~

(i) ~~THE ISSUING FEE FOR A NEW LICENSE IS \$475; AND~~

(ii) ~~THE ANNUAL FEE IS \$535.~~

**(E) THE BOARD SHALL CHARGE A ONE-TIME ISSUING FEE FOR A NEW LICENSE IN AN AMOUNT EQUAL TO THE ANNUAL LICENSE FEE.**

21-803.

(a) There is a Class BDR (deluxe restaurant) beer and wine license.

**(e) THE ANNUAL LICENSE FEES ARE:**

- (1) ~~For \$500 FOR~~ a 6-DAY license without a catering option:
  - (i) ~~the issuing fee for a new license is \$500; and~~
  - (ii) ~~the annual fee is \$500.;~~
- (2) ~~For \$625 FOR~~ a 6-DAY license with a catering option:
  - (i) ~~the issuing fee for a new license is \$625; and~~
  - (ii) ~~the annual fee is \$625.;~~
- (3) ~~FOR \$585 FOR A 7-DAY LICENSE WITHOUT A CATERING OPTION;~~
  - (I) ~~THE ISSUING FEE FOR A NEW LICENSE IS \$500; AND~~
  - (II) ~~THE ANNUAL FEE IS \$585.; AND~~
- (4) ~~FOR \$710 FOR A 7-DAY LICENSE WITH A CATERING OPTION;~~
  - (I) ~~THE ISSUING FEE FOR A NEW LICENSE IS \$625; AND~~
  - (II) ~~THE ANNUAL FEE IS \$710.~~

**(F) THE BOARD SHALL CHARGE A ONE-TIME ISSUING FEE FOR A NEW LICENSE IN AN AMOUNT EQUAL TO THE ANNUAL LICENSE FEE.**

21-805.

(a) There is a Class D beer and wine license.

(e) **THE ANNUAL LICENSE FEES ARE:**

- (1) ~~For \$350 FOR~~ a 6-DAY license without a catering option:
  - (i) ~~the issuing fee for a new license is \$350; and~~
  - (ii) ~~the annual fee is \$350.;~~
- (2) ~~For \$475 FOR~~ a 6-DAY license with a catering option:
  - (i) ~~the issuing fee for a new license is \$475; and~~
  - (ii) ~~the annual fee is \$475.;~~

(3) ~~FOR \$410 FOR A 7-DAY LICENSE WITHOUT A CATERING OPTION;~~

~~(I) THE ISSUING FEE FOR A NEW LICENSE IS \$350; AND~~

~~(II) THE ANNUAL FEE IS \$410; AND~~

(4) ~~FOR \$535 FOR A 7-DAY LICENSE WITH A CATERING OPTION;~~

~~(I) THE ISSUING FEE FOR A NEW LICENSE IS \$475; AND~~

~~(II) THE ANNUAL FEE IS \$535.~~

(F) THE BOARD SHALL CHARGE A ONE-TIME ISSUING FEE FOR A NEW LICENSE IN AN AMOUNT EQUAL TO THE ANNUAL LICENSE FEE.

21-902.

(a) There is a Class B beer, wine, and liquor license.

(g) THE ANNUAL LICENSE FEES ARE:

(1) ~~For \$1,500 FOR a 6-DAY license without the catering option, the annual license fee is \$1,500, and the one-time issuing fee is \$1,500;~~

(2) ~~For \$2,000 FOR a 6-DAY license with the catering option, the annual license fee is \$2,000, and the one-time issuing fee is \$2,000;~~

(3) ~~FOR \$1,750 FOR A 7-DAY LICENSE WITHOUT THE CATERING OPTION, THE ANNUAL LICENSE FEE IS \$1,750, AND THE ONE-TIME ISSUING FEE IS \$1,500; AND~~

(4) ~~FOR \$2,250 FOR A 7-DAY LICENSE WITH THE CATERING OPTION, THE ANNUAL LICENSE FEE IS \$2,250, AND THE ONE-TIME ISSUING FEE IS \$2,000.~~

(H) THE BOARD SHALL CHARGE A ONE-TIME ISSUING FEE FOR A NEW LICENSE IN AN AMOUNT EQUAL TO THE ANNUAL LICENSE FEE.

21-903.

(a) There is a Class BDR (deluxe restaurant) beer, wine, and liquor license.

~~(I) The annual license fee FOR A 6-DAY LICENSE is \$2,250, with a one-time issuance fee of \$2,250.~~

~~[(2)] (H) The annual catering option fee is \$500.~~

~~(2) (I) THE ANNUAL LICENSE FEE FOR A 7-DAY LICENSE IS \$2,625, WITH A ONE-TIME ISSUANCE FEE OF \$2,250.~~

~~(H) THE ANNUAL CATERING OPTION FEE IS \$500.~~

**(F) THE ANNUAL LICENSE FEES ARE:**

**(1) \$2,250 FOR A 6-DAY LICENSE WITHOUT A CATERING OPTION;**

**(2) \$2,750 FOR A 6-DAY LICENSE WITH A CATERING OPTION;**

**(3) \$2,625 FOR A 7-DAY LICENSE WITHOUT A CATERING OPTION; AND**

**(4) \$3,125 FOR A 7-DAY LICENSE WITH A CATERING OPTION.**

**(G) THE BOARD SHALL CHARGE A ONE-TIME ISSUING FEE FOR A NEW LICENSE IN AN AMOUNT EQUAL TO THE ANNUAL LICENSE FEE.**

21-904.

(b) There is a Class C (club and organization) beer, wine, and liquor license.

(g) (1) The annual license [fee is] **FEES ARE:**

**(I) \$1,500 FOR A 6-DAY LICENSE, AND**

**(II) \$1,750 FOR A 7-DAY LICENSE.**

(2) The issuance **BOARD SHALL CHARGE A ONE-TIME ISSUING** fee for a new license is \$1,500, in addition **IN AN AMOUNT EQUAL** to the annual license fee.

21-905.

(a) (1) There is:

(i) a Class D (75% on-sale) beer, wine, and liquor license; and

(ii) a Class D (75% off-sale) beer, wine, and liquor license.

(e) **THE ANNUAL LICENSE FEES ARE:**

~~(1) For a 6 DAY Class D (on sale) beer, wine, and liquor license without a catering privilege, the annual fee is \$1,500, and the one-time issuance fee for a new license is \$1,500.~~

~~(2) For a 6 DAY Class D (on sale) beer, wine, and liquor license with a catering privilege, the annual fee is \$2,000, and the issuance fee for a new license is \$2,000.~~

~~(3) For a 6 DAY Class D (off sale) beer, wine, and liquor license, the annual fee is \$3,000, and the one-time issuance fee for a new license is \$3,000.~~

~~(4) FOR A 7 DAY CLASS D (ON SALE) BEER, WINE, AND LIQUOR LICENSE WITHOUT A CATERING PRIVILEGE, THE ANNUAL FEE IS \$1,750, AND THE ONE-TIME ISSUANCE FEE FOR A NEW LICENSE IS \$1,500.~~

~~(5) FOR A 7 DAY CLASS D (ON SALE) BEER, WINE, AND LIQUOR LICENSE WITH A CATERING PRIVILEGE, THE ANNUAL FEE IS \$2,250, AND THE ISSUANCE FEE FOR A NEW LICENSE IS \$2,000.~~

~~(6) FOR A 7 DAY CLASS D (OFF SALE) BEER, WINE, AND LIQUOR LICENSE, THE ANNUAL FEE IS \$3,500, AND THE ONE-TIME ISSUANCE FEE FOR A NEW LICENSE IS \$3,000.~~

~~[(4)] (7) The Board may grant the license holder the privilege to sell beer, wine, or liquor for off-premises consumption under subsection (d) of this section at no charge.~~

(1) \$1,500 FOR A 6-DAY (ON-SALE) LICENSE WITHOUT A CATERING OPTION;

(2) \$2,000 FOR A 6-DAY (ON-SALE) LICENSE WITH A CATERING OPTION;

(3) \$3,000 FOR A 6-DAY (OFF-SALE) LICENSE;

(4) \$1,750 FOR A 7-DAY (ON-SALE) LICENSE WITHOUT A CATERING OPTION;

(5) \$2,250 FOR A 7-DAY (ON-SALE) LICENSE WITH A CATERING OPTION; AND

(6) \$3,500 FOR A 7-DAY (OFF-SALE) LICENSE.

(F) THE BOARD SHALL CHARGE A ONE-TIME ISSUING FEE FOR A NEW LICENSE IN AN AMOUNT EQUAL TO THE ANNUAL LICENSE FEE.



21-1001.

(a) There is a Class B-B&B (bed and breakfast) beer, wine, and liquor license.

(e) (1) The annual license fee ~~FOR A 6-DAY LICENSE~~ is FEES ARE:

(i) \$25 for a 6-DAY bed and breakfast with 5 or fewer bedrooms;

(ii) \$50 for a 6-DAY bed and breakfast with at least 6 but not more than 10 bedrooms; ~~and~~

(iii) \$75 for a 6-DAY bed and breakfast with 11 or more bedrooms.

~~(2) THE ANNUAL LICENSE FEE FOR A 7-DAY LICENSE IS:~~

~~(I) (IV) \$30 FOR A 7-DAY BED AND BREAKFAST WITH 5 OR FEWER BEDROOMS;~~

~~(II) (V) \$60 FOR A 7-DAY BED AND BREAKFAST WITH AT LEAST 6 BUT NOT MORE THAN 10 BEDROOMS; AND~~

~~(III) (VI) \$90 FOR A 7-DAY BED AND BREAKFAST WITH 11 OR MORE BEDROOMS.~~

~~[(2)] (3) (F) The Board shall charge ~~an~~ A ONE-TIME issuing fee FOR A NEW LICENSE in an amount equal to the annual license fee.~~

21-1002.

(a) There is a Class B-resort beer, wine, and liquor license.

(e) (1) The annual license fees ~~FOR A 6-DAY LICENSE~~ are:

(i) \$3,000 FOR A 6-DAY LICENSE for two facilities, ~~\$3,000; and;~~

(ii) \$1,500 for each additional facility, ~~\$1,500.~~ FOR A 6-DAY LICENSE;

~~(2) THE ANNUAL LICENSE FEES FOR A 7-DAY LICENSE ARE:~~

~~(I) (III) \$3,500 FOR A 7-DAY LICENSE FOR TWO FACILITIES, \$3,500; AND~~

~~(H)~~ **(IV)**      **\$1,750** FOR EACH ADDITIONAL FACILITY, ~~**\$1,750**~~ FOR **A 7-DAY LICENSE.**

**[(2)]** ~~**(3)**~~ **(F)** The Board shall charge a one-time issuing fee for a new license in an amount equal to the annual license fee.

21-1305.

(a) (1) There is a wine festival license.

(i) A holder of a State wholesale, Class 3 winery, or Class 4 limited winery license may enter into an agreement with the license holder to:

(1) deliver wine not earlier than 2 days before the effective date of the license; and

(2) accept returns not later than **[2] 5** days after the expiration date of the license.

21-1309.

**(A)** The Board may issue a Class C multiple day beer license, beer and wine license, and beer, wine, and liquor license for the following fees and license types:

(1) \$50 for a 2-day license;

(2) \$150 for a 6-day license; and

(3) \$300 for a 12-day license.

**(B) THE BOARD IS NOT REQUIRED TO HOLD A HEARING BEFORE ISSUING A LICENSE UNDER THIS SECTION IF:**

**(1) A LICENSE HOLDER ANTICIPATES ATTENDANCE OF FEWER THAN 500 INDIVIDUALS AT AN EVENT; AND**

**(2) THE BOARD HAS APPROVED A LICENSE FOR THE LICENSE HOLDER IN THE PRIOR YEAR.**

21-1501.

(a) The following sections of Title 4, Subtitle 2 (“Issuance or Denial of Local Licenses”) of Division I of this article apply in the County without exception or variation:

(1) § 4-205 (“Chain store, supermarket, or discount house”);

- (2) § 4–206 (“Limitations on retail sales floor space”);
- (3) § 4–207 (“Licenses issued to minors”);
- (4) § 4–208 (“Notice of license application required”);
- (5) [§ 4–209 (“Hearing”);
- (6)] § 4–210 (“Approval or denial of license application”);
- [(7)] **(6)** § 4–211 (“License forms; effective date; expiration”);
- [(8)] **(7)** § 4–212 (“License not property”); and
- [(9)] **(8)** § 4–214 (“Waiting periods after denial of license applications”).

(b) The following sections of Title 4, Subtitle 2 (“Issuance or Denial of Local Licenses”) of Division I of this article apply in the County:

- (1) § 4–202 (“Authority of local licensing boards”), subject to §§ 21–1502 through 21–1504 of this subtitle;
- (2) § 4–203 (“Prohibition against issuing multiple licenses to individual or for use of entity”), subject to § 21–1505 of this subtitle and Subtitle 13, Part III and Subtitle 16, Part II of this title;
- (3) § 4–204 (“Prohibition against issuing multiple licenses for same premises”), subject to § 21–1505 of this subtitle; *[and]*
- (4) **§ 4–209 (“HEARING”), SUBJECT TO § 21–1309 OF THIS SUBTITLE;**  
~~and~~ **AND**
- (5) § 4–213 (“Replacement licenses”), subject to § 21–1506 of this subtitle.

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

**Approved by the Governor, May 19, 2016.**