

SENATE BILL 491

A1

(7lr1750)

ENROLLED BILL

— *Education, Health, and Environmental Affairs/Economic Matters* —

Introduced by **Senator Ready**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o'clock, _____ M.

President.

CHAPTER _____

1 AN ACT concerning

2 **Alcoholic Beverages – Nonrefillable Containers – Draft Beer**

3 FOR the purpose of establishing in certain jurisdictions a nonrefillable container permit;
4 authorizing a permit holder to sell draft beer for off-premises consumption by
5 packaging the beer in a nonrefillable container that meets certain specifications;
6 specifying certain requirements for permit holders, hours of sale, and ~~license permit~~
7 fees; prohibiting permit fees to be charged under certain circumstances; and
8 generally relating to nonrefillable containers for alcoholic beverages.

9 BY adding to

10 Article – Alcoholic Beverages

11 Section 4–1106, 10–1103, 11–1103.1, 12–1102.1, 13–1103, 14–1103, 15–1103,

12 16–1103, 17–1103, 18–1103, 19–1103, 20–1106, 21–1104.1, 22–1104, 23–1104,

13 25–1104.1, 26–1102.1, 27–1103, 28–1103, 31–1102.1, 32–1103, and 33–1104

14 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.

Italics indicate opposite chamber/conference committee amendments.



1 (2016 Volume and 2016 Supplement)

2 BY repealing and reenacting, without amendments,
3 Article – Alcoholic Beverages
4 Section 10–102, 11–102, 12–102, 13–102, 14–102, 15–102, 16–102, 17–102, 18–102,
5 19–102, 20–102, 21–102, 22–102, 23–102, 25–102, 26–102, 27–102, 28–102,
6 31–102, 32–102, and 33–102
7 Annotated Code of Maryland
8 (2016 Volume and 2016 Supplement)

9 BY repealing and reenacting, with amendments,
10 Article – Alcoholic Beverages
11 Section 10–1101, 11–1101, 12–1101, 13–1101, 14–1101, 15–1101, 16–1101, 17–1101,
12 18–1101, 19–1101, 20–1101, 21–1101, 22–1101, 23–1101, 25–1101, 26–1101,
13 27–1101, 28–1101, 31–1101, 32–1101, and 33–1101
14 Annotated Code of Maryland
15 (2016 Volume and 2016 Supplement)

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

18 **Article – Alcoholic Beverages**

19 **4–1106.**

20 **(A) THERE IS A NONREFILLABLE CONTAINER PERMIT.**

21 **(B) A NONREFILLABLE CONTAINER PERMIT AUTHORIZES THE PERMIT**
22 **HOLDER TO SELL DRAFT BEER FOR OFF–PREMISES CONSUMPTION BY PACKAGING**
23 **THE BEER IN A NONREFILLABLE CONTAINER THAT MEETS THE STANDARDS SET OUT**
24 **IN SUBSECTION (D) OF THIS SECTION.**

25 **(C) (1) THE TERM OF A NONREFILLABLE CONTAINER PERMIT IS THE**
26 **SAME AS THAT OF THE UNDERLYING LICENSE.**

27 **(2) THE HOURS OF SALE FOR A NONREFILLABLE CONTAINER PERMIT**
28 **ARE THE SAME AS THOSE FOR THE UNDERLYING LICENSE.**

29 **(3) AN APPLICANT WHO HOLDS AN UNDERLYING LICENSE WITHOUT**
30 **AN OFF–SALE PRIVILEGE SHALL MEET THE SAME ADVERTISING, POSTING OF**
31 **NOTICE, AND PUBLIC HEARING REQUIREMENTS AS THOSE FOR THE UNDERLYING**
32 **LICENSE.**

1 (D) ~~(1)~~ TO BE USED AS A NONREFILLABLE CONTAINER FOR DRAFT BEER
 2 UNDER THE AUTHORITY OF A NONREFILLABLE CONTAINER PERMIT, A CONTAINER
 3 SHALL:

4 ~~(I)~~ (1) BE CONSTRUCTED OUT OF ALUMINUM;

5 ~~(II)~~ (2) BE SEALABLE;

6 ~~(III)~~ (3) HAVE A CAPACITY OF 32 OUNCES;

7 ~~(IV)~~ (4) BE BRANDED WITH THE IDENTIFYING MARKS OF THE
 8 SELLER OF THE CONTAINER; AND

9 ~~(V)~~ (5) BEAR THE FEDERAL HEALTH WARNING STATEMENT
 10 REQUIRED FOR CONTAINERS OF ALCOHOLIC BEVERAGES UNDER 27 C.F.R. ~~16.21~~ §
 11 16.21.

12 10-102.

13 This title applies only in the City of Annapolis.

14 10-1101.

15 (a) The following sections of Title 4, Subtitle 11 (“Additional License Privileges”) of
 16 Division I of this article apply in the City without exception or variation:

17 (1) § 4-1102 (“Corkage — Consuming wine not purchased from license
 18 holder on licensed premises”); and

19 (2) § 4-1103 (“Removal of partially consumed bottle of wine from licensed
 20 premises”).

21 (b) Section 4-1105 (“Refillable container permit — Wine”) of Division I of this
 22 article does not apply in the City.

23 (c) **THE FOLLOWING SECTIONS OF TITLE 4, SUBTITLE 11 (“ADDITIONAL**
 24 **LICENSE PRIVILEGES”) OF DIVISION I OF THIS ARTICLE APPLY IN THE CITY:**

25 (1) [Section] § 4-1104 (“Refillable container permit — Draft beer”) [of
 26 Division I of this article applies in the City], subject to § 10-1102 of this subtitle; AND

27 (2) § 4-1106 (“NONREFILLABLE CONTAINER PERMIT — DRAFT
 28 BEER”), SUBJECT TO § 10-1103 OF THIS SUBTITLE.

29 10-1103.

1 (A) THE BOARD MAY ISSUE A NONREFILLABLE CONTAINER PERMIT FOR
2 DRAFT BEER TO A HOLDER OF A CLASS A LICENSE, CLASS B LICENSE, CLASS D
3 LICENSE, OR CLASS E LICENSE.

4 (B) AN APPLICANT FOR THE PERMIT SHALL COMPLETE THE FORM THAT
5 THE BOARD PROVIDES.

6 (C) THE HOURS OF SALE FOR A NONREFILLABLE CONTAINER PERMIT:

7 (1) BEGIN AT THE SAME TIME AS THOSE FOR THE UNDERLYING
8 LICENSE; AND

9 (2) END AT MIDNIGHT.

10 (D) THE BOARD SHALL ADOPT REGULATIONS TO CARRY OUT THIS SECTION.

11 (E) (1) ~~THE~~ EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS
12 SUBSECTION, THE ANNUAL PERMIT FEES ARE:

13 ~~(1)~~ (I) \$50 FOR AN APPLICANT WHOSE LICENSE HAS AN OFF-SALE
14 PRIVILEGE; AND

15 ~~(2)~~ (II) \$500 FOR AN APPLICANT WHOSE LICENSE DOES NOT HAVE
16 AN OFF-SALE PRIVILEGE.

17 (2) AN APPLICANT WHO HAS A REFILLABLE CONTAINER PERMIT MAY
18 NOT BE CHARGED A FEE FOR A NONREFILLABLE CONTAINER PERMIT.

19 11-102.

20 This title applies only in Anne Arundel County.

21 11-1101.

22 (a) The following sections of Title 4, Subtitle 11 (“Additional License Privileges”)
23 of Division I of this article apply in the county without exception or variation:

24 (1) § 4-1102 (“Corkage — Consuming wine not purchased from license
25 holder on licensed premises”); and

26 (2) § 4-1103 (“Removal of partially consumed bottle of wine from licensed
27 premises”).

1 (b) Section 4-1105 (“Refillable container permit — Wine”) of Division I of this
2 article does not apply in the county.

3 (c) **THE FOLLOWING SECTIONS OF TITLE 4, SUBTITLE 11 (“ADDITIONAL
4 LICENSE PRIVILEGES”) OF DIVISION I OF THIS ARTICLE APPLY IN THE COUNTY:**

5 (1) [Section] § 4-1104 (“Refillable container permit — Draft beer”) [of
6 Division I of this article applies in the county], subject to § 11-1103 of this subtitle; AND

7 (2) § 4-1106 (“NONREFILLABLE CONTAINER PERMIT — DRAFT
8 BEER”), SUBJECT TO § 11-1103.1 OF THIS SUBTITLE.

9 11-1103.1.

10 (A) **THE BOARD MAY ISSUE A NONREFILLABLE CONTAINER PERMIT FOR
11 DRAFT BEER TO A HOLDER OF A CLASS A LICENSE, A CLASS B LICENSE, OR A CLASS
12 D LICENSE.**

13 (B) **AN APPLICANT FOR THE PERMIT SHALL COMPLETE THE FORM THAT
14 THE BOARD PROVIDES.**

15 (C) **THE HOURS OF SALE FOR THE PERMIT:**

16 (1) **BEGIN AT THE SAME TIME AS THOSE FOR THE UNDERLYING
17 LICENSE; AND**

18 (2) **END AT MIDNIGHT.**

19 (D) **THE BOARD SHALL ADOPT REGULATIONS TO CARRY OUT THIS SECTION.**

20 (E) **(1) ~~THE~~ EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS**
21 **SUBSECTION, THE ANNUAL PERMIT FEES ARE:**

22 ~~(1)~~ **(I) \$50 FOR AN APPLICANT WHOSE LICENSE HAS AN OFF-SALE**
23 **PRIVILEGE; AND**

24 ~~(2)~~ **(II) \$500 FOR AN APPLICANT WHOSE LICENSE DOES NOT HAVE**
25 **AN OFF-SALE PRIVILEGE.**

26 **(2) AN APPLICANT WHO HAS A REFILLABLE CONTAINER PERMIT MAY**
27 **NOT BE CHARGED A FEE FOR A NONREFILLABLE CONTAINER PERMIT.**

28 12-102.

29 This title applies only in Baltimore City.

1 12-1101.

2 (a) The following sections of Title 4, Subtitle 11 (“Additional License Privileges”)
3 of Division I of this article apply in the City without exception or variation:

4 (1) § 4-1102 (“Corkage — Consuming wine not purchased from license
5 holder on licensed premises”); and

6 (2) § 4-1103 (“Removal of partially consumed bottle of wine from licensed
7 premises”).

8 (b) Section 4-1105 (“Refillable container permit — Wine”) of Division I of this
9 article does not apply in the City.

10 (c) **THE FOLLOWING SECTIONS OF TITLE 4, SUBTITLE 11 (“ADDITIONAL
11 LICENSE PRIVILEGES”) OF DIVISION I OF THIS ARTICLE APPLY IN THE CITY:**

12 (1) [Section] § 4-1104 (“Refillable container permit — Draft beer”) [of
13 Division I of this article applies in the City], subject to § 12-1102 of this subtitle; AND

14 (2) **§ 4-1106 (“NONREFILLABLE CONTAINER PERMIT — DRAFT
15 BEER”), SUBJECT TO § 12-1102.1 OF THIS SUBTITLE.**

16 **12-1102.1.**

17 (A) **THE BOARD MAY ISSUE A NONREFILLABLE CONTAINER PERMIT FOR
18 DRAFT BEER TO A HOLDER OF ANY CLASS OF LICENSE EXCEPT A CLASS C LICENSE
19 OR A CLASS M-G LICENSE.**

20 (B) **AN APPLICANT FOR THE PERMIT SHALL COMPLETE THE FORM THAT
21 THE BOARD PROVIDES.**

22 (C) **THE HOURS OF SALE FOR THE PERMIT:**

23 (1) **BEGIN AT THE SAME TIME AS THOSE FOR THE UNDERLYING
24 LICENSE; AND**

25 (2) **END AT MIDNIGHT.**

26 (D) **RECEIPTS COLLECTED UNDER THE PERMIT ARE TO BE INCLUDED IN
27 THE CALCULATION OF AVERAGE DAILY RECEIPTS FROM THE SALE OF ALCOHOLIC
28 BEVERAGES UNDER § 12-104 OF THIS TITLE.**

29 (E) **THE BOARD SHALL ADOPT REGULATIONS TO CARRY OUT THIS SECTION.**

1 **(F) (1) ~~THE~~ EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS**
2 **SUBSECTION, THE ANNUAL PERMIT FEES ARE:**

3 ~~(1)~~ **(I) \$50 FOR AN APPLICANT WHOSE LICENSE HAS AN OFF-SALE**
4 **PRIVILEGE; AND**

5 ~~(2)~~ **(II) \$500 FOR AN APPLICANT WHOSE LICENSE DOES NOT HAVE**
6 **AN OFF-SALE PRIVILEGE.**

7 **(2) AN APPLICANT WHO HAS A REFILLABLE CONTAINER PERMIT MAY**
8 **NOT BE CHARGED A FEE FOR A NONREFILLABLE CONTAINER PERMIT.**

9 13-102.

10 This title applies only in Baltimore County.

11 13-1101.

12 (a) The following provisions of Title 4, Subtitle 11 (“Additional License
13 Privileges”) of Division I of this article apply in the county without exception or variation:

14 (1) § 4-1102 (“Corkage — Consuming wine not purchased from license
15 holder on licensed premises”); and

16 (2) § 4-1103 (“Removal of partially consumed bottle of wine from licensed
17 premises”).

18 (b) Section 4-1105 (“Refillable container permit — Wine”) of Division I of this
19 article does not apply in the county.

20 (c) **THE FOLLOWING SECTIONS OF TITLE 4, SUBTITLE 11 (“ADDITIONAL**
21 **LICENSE PRIVILEGES”) OF DIVISION I OF THIS ARTICLE APPLY IN THE COUNTY:**

22 **(1) [Section] § 4-1104 (“Refillable container permit — Draft beer”) [of**
23 **Division I of this article applies in the county], subject to § 13-1102 of this subtitle; AND**

24 **(2) § 4-1106 (“NONREFILLABLE CONTAINER PERMIT — DRAFT**
25 **BEER”), SUBJECT TO § 13-1103 OF THIS SUBTITLE.**

26 13-1103.

27 **(A) THE BOARD MAY ISSUE A NONREFILLABLE CONTAINER PERMIT FOR**
28 **DRAFT BEER TO A HOLDER OF A CLASS A LICENSE, A CLASS B LICENSE, OR A CLASS**
29 **D LICENSE.**

1 (B) AN APPLICANT FOR THE PERMIT SHALL COMPLETE THE FORM THAT
2 THE BOARD PROVIDES.

3 (C) THE HOURS OF SALE FOR THE PERMIT:

4 (1) BEGIN AT THE SAME TIME AS THOSE FOR THE UNDERLYING
5 LICENSE; AND

6 (2) END AT MIDNIGHT.

7 (D) THE BOARD SHALL ADOPT REGULATIONS TO CARRY OUT THIS SECTION.

8 (E) (1) ~~THE EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS~~
9 SUBSECTION, THE BOARD MAY CHARGE ANNUAL PERMIT FEES OF NOT MORE THAN:

10 ~~(1)~~ (I) \$50 FOR AN APPLICANT WHOSE LICENSE HAS AN OFF-SALE
11 PRIVILEGE; AND

12 ~~(2)~~ (II) \$500 FOR AN APPLICANT WHOSE LICENSE DOES NOT HAVE
13 AN OFF-SALE PRIVILEGE.

14 (2) AN APPLICANT WHO HAS A REFILLABLE CONTAINER PERMIT MAY
15 NOT BE CHARGED A FEE FOR A NONREFILLABLE CONTAINER PERMIT.

16 14-102.

17 This title applies only in Calvert County.

18 14-1101.

19 (a) The following sections of Title 4, Subtitle 11 (“Additional License Privileges”)
20 of Division I of this article apply in the county without exception or variation:

21 (1) § 4-1102 (“Corkage — Consuming wine not purchased from license
22 holder on licensed premises”); and

23 (2) § 4-1103 (“Removal of partially consumed bottle of wine from licensed
24 premises”).

25 (b) Section 4-1105 (“Refillable container permit — Wine”) of Division I of this
26 article does not apply in the county.

27 (c) **THE FOLLOWING SECTIONS OF TITLE 4, SUBTITLE 11 (“ADDITIONAL**
28 **LICENSE PRIVILEGES”) OF DIVISION I OF THIS ARTICLE APPLY IN THE COUNTY:**

1 (1) [Section] § 4-1104 (“Refillable container permit — Draft beer”) [of
2 Division I of this article applies in the county], subject to § 14-1102 of this subtitle; AND

3 (2) § 4-1106 (“NONREFILLABLE CONTAINER PERMIT — DRAFT
4 BEER”), SUBJECT TO § 14-1103 OF THIS SUBTITLE.

5 14-1103.

6 (A) THE BOARD MAY ISSUE A NONREFILLABLE CONTAINER PERMIT FOR
7 DRAFT BEER TO A HOLDER OF A CLASS A LICENSE, A CLASS B LICENSE, OR A CLASS
8 D LICENSE.

9 (B) AN APPLICANT FOR THE PERMIT SHALL COMPLETE THE FORM THAT
10 THE BOARD PROVIDES.

11 (C) THE HOURS OF SALE FOR THE PERMIT:

12 (1) BEGIN AT THE SAME TIME AS THOSE FOR THE UNDERLYING
13 LICENSE; AND

14 (2) END AT MIDNIGHT.

15 (D) THE BOARD SHALL ADOPT REGULATIONS TO CARRY OUT THIS SECTION.

16 (E) (1) ~~THE~~ EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS
17 SUBSECTION, THE ANNUAL PERMIT FEES ARE:

18 ~~(1)~~ (I) \$50 FOR AN APPLICANT WHOSE LICENSE HAS AN OFF-SALE
19 PRIVILEGE; AND

20 ~~(2)~~ (II) \$500 FOR AN APPLICANT WHOSE LICENSE DOES NOT HAVE
21 AN OFF-SALE PRIVILEGE.

22 (2) AN APPLICANT WHO HAS A REFILLABLE CONTAINER PERMIT MAY
23 NOT BE CHARGED A FEE FOR A NONREFILLABLE CONTAINER PERMIT.

24 15-102.

25 This title applies only in Caroline County.

26 15-1101.

27 (a) The following sections of Title 4, Subtitle 11 (“Additional License Privileges”)
28 of Division I of this article apply in the county without exception or variation:

1 (1) § 4–1102 (“Corkage — Consuming wine not purchased from license
2 holder on licensed premises”); and

3 (2) § 4–1103 (“Removal of partially consumed bottle of wine from licensed
4 premises”).

5 (b) Section 4–1105 (“Refillable container permit — Wine”) of Title 4, Subtitle 11
6 (“Additional License Privileges”) of Division I of this article does not apply in the county.

7 (c) **THE FOLLOWING SECTIONS OF TITLE 4, SUBTITLE 11 (“ADDITIONAL
8 LICENSE PRIVILEGES”) OF DIVISION I OF THIS ARTICLE APPLY IN THE COUNTY:**

9 (1) [Section] § 4–1104 (“Refillable container permit — Draft beer”) [of
10 Division I of this article applies in the county], subject to § 15–1102 of this subtitle; AND

11 (2) § 4–1106 (“NONREFILLABLE CONTAINER PERMIT — DRAFT
12 BEER”), SUBJECT TO § 15–1103 OF THIS SUBTITLE.

13 15–1103.

14 (A) **THE BOARD MAY ISSUE A NONREFILLABLE CONTAINER PERMIT FOR
15 DRAFT BEER TO A HOLDER OF A CLASS B OR CLASS H LICENSE.**

16 (B) **THE HOURS OF SALE FOR THE PERMIT:**

17 (1) **BEGIN AT THE SAME TIME FOR THE UNDERLYING LICENSE; AND**

18 (2) **END AT MIDNIGHT.**

19 (C) (1) **THE EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS**
20 **SUBSECTION, THE ANNUAL PERMIT FEE IS \$500.**

21 (2) **AN APPLICANT WHO HAS A REFILLABLE CONTAINER PERMIT MAY**
22 **NOT BE CHARGED A FEE FOR A NONREFILLABLE CONTAINER PERMIT.**

23 16–102.

24 This title applies only in Carroll County.

25 16–1101.

26 (a) The following sections of Title 4, Subtitle 11 (“Additional License Privileges”)
27 of Division I of this article apply in the county without exception or variation:

1 (1) § 4-1102 (“Corkage — Consuming wine not purchased from license
2 holder on licensed premises”); and

3 (2) § 4-1103 (“Removal of partially consumed bottle of wine from licensed
4 premises”).

5 (b) Section 4-1105 (“Refillable container permit — Wine”) of Division I of this
6 article does not apply in the county.

7 (c) **THE FOLLOWING SECTIONS OF TITLE 4, SUBTITLE 11 (“ADDITIONAL
8 LICENSE PRIVILEGES”) OF DIVISION I OF THIS ARTICLE APPLY IN THE COUNTY:**

9 (1) [Section] § 4-1104 (“Refillable container permit — Draft beer”) [of
10 Division I of this article applies in the county], subject to § 16-1102 of this subtitle; AND

11 (2) § 4-1106 (“NONREFILLABLE CONTAINER PERMIT — DRAFT
12 BEER”), SUBJECT TO § 16-1103 OF THIS SUBTITLE.

13 **16-1103.**

14 (A) **THE BOARD MAY ISSUE A NONREFILLABLE CONTAINER PERMIT FOR
15 DRAFT BEER TO A HOLDER OF A CLASS A LICENSE, A CLASS B LICENSE, OR A CLASS
16 D LICENSE.**

17 (B) **AN APPLICANT FOR THE PERMIT SHALL COMPLETE THE FORM THAT
18 THE BOARD PROVIDES.**

19 (C) **THE HOURS OF SALE FOR THE PERMIT:**

20 (1) **BEGIN AT THE SAME TIME AS THOSE FOR THE UNDERLYING
21 LICENSE; AND**

22 (2) **END AT MIDNIGHT.**

23 (D) (1) **THE EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS**
24 **SUBSECTION, THE ANNUAL PERMIT FEES ARE:**

25 ~~(1)~~ (I) **\$50 FOR AN APPLICANT WHOSE LICENSE HAS AN OFF-SALE
26 PRIVILEGE; AND**

27 ~~(2)~~ (II) **\$500 FOR AN APPLICANT WHOSE LICENSE DOES NOT HAVE
28 AN OFF-SALE PRIVILEGE.**

29 (2) **AN APPLICANT WHO HAS A REFILLABLE CONTAINER PERMIT MAY**
30 **NOT BE CHARGED A FEE FOR A NONREFILLABLE CONTAINER PERMIT.**

1 17-102.

2 This title applies only in Cecil County.

3 17-1101.

4 (a) The following sections of Title 4, Subtitle 11 (“Additional License Privileges”)
5 of Division I of this article apply in the county without exception or variation:

6 (1) § 4-1102 (“Corkage — Consuming wine not purchased from license
7 holder on licensed premises”); and

8 (2) § 4-1103 (“Removal of partially consumed bottle of wine from licensed
9 premises”).

10 (b) Section 4-1105 (“Refillable container permit — Wine”) of Division I of this
11 article does not apply in the county.

12 (c) **THE FOLLOWING SECTIONS OF TITLE 4, SUBTITLE 11 (“ADDITIONAL
13 LICENSE PRIVILEGES”) OF DIVISION I OF THIS ARTICLE APPLY IN THE COUNTY:**

14 (1) [Section] § 4-1104 (“Refillable container permit — Draft beer”) [of
15 Division I of this article applies in the county], subject to § 17-1102 of this subtitle; **AND**

16 (2) **§ 4-1106 (“NONREFILLABLE CONTAINER PERMIT — DRAFT
17 BEER”), SUBJECT TO § 17-1103 OF THIS SUBTITLE.**

18 **17-1103.**

19 (A) **THE BOARD MAY ISSUE A NONREFILLABLE CONTAINER PERMIT FOR
20 DRAFT BEER TO A HOLDER OF A CLASS A LICENSE OR A CLASS B LICENSE.**

21 (B) **AN APPLICANT FOR THE PERMIT SHALL COMPLETE THE FORM THAT
22 THE BOARD PROVIDES.**

23 (C) **THE HOURS OF SALE FOR THE PERMIT BEGIN AND END AT THE SAME
24 TIME AS THOSE FOR THE UNDERLYING LICENSE.**

25 (D) **RECEIPTS COLLECTED UNDER THE PERMIT ARE TO BE INCLUDED IN
26 THE CALCULATION OF AVERAGE DAILY RECEIPTS FROM THE SALE OF ALCOHOLIC
27 BEVERAGES UNDER § 17-2001 OF THIS TITLE.**

28 (E) **THE BOARD SHALL ADOPT REGULATIONS TO CARRY OUT THIS SECTION.**

1 **(F) (1) ~~THE~~ EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS**
2 **SUBSECTION, THE ANNUAL PERMIT FEE IS \$50.**

3 **(2) AN APPLICANT WHO HAS A REFILLABLE CONTAINER PERMIT MAY**
4 **NOT BE CHARGED A FEE FOR A NONREFILLABLE CONTAINER PERMIT.**

5 18-102.

6 This title applies only in Charles County.

7 18-1101.

8 (a) The following section of Title 4, Subtitle 11 (“Additional License Privileges”) of Division I of this article applies in the county without exception or variation:

9
10 (1) § 4-1102 (“Corkage — Consuming wine not purchased from license
11 holder on licensed premises”); and

12 (2) § 4-1103 (“Removal of partially consumed bottle of wine from licensed
13 premises”).

14 (b) Section 4-1105 (“Refillable container permit — Wine”) of Division I of this
15 article does not apply in the county.

16 (c) **THE FOLLOWING SECTIONS OF TITLE 4, SUBTITLE 11 (“ADDITIONAL**
17 **LICENSE PRIVILEGES”) OF DIVISION I OF THIS ARTICLE APPLY IN THE COUNTY:**

18 **(1) [Section] § 4-1104 (“Refillable container permit — Draft beer”) [of**
19 **Division I of this article applies in the county], subject to § 18-1102 of this subtitle; AND**

20 **(2) § 4-1106 (“NONREFILLABLE CONTAINER PERMIT — DRAFT**
21 **BEER”), SUBJECT TO § 18-1103 OF THIS SUBTITLE.**

22 **18-1103.**

23 **(A) THE BOARD MAY ISSUE A NONREFILLABLE CONTAINER PERMIT FOR**
24 **DRAFT BEER TO A HOLDER OF A CLASS A LICENSE, A CLASS B LICENSE, OR A CLASS**
25 **C LICENSE.**

26 **(B) AN APPLICANT FOR THE PERMIT SHALL COMPLETE THE FORM THAT**
27 **THE BOARD PROVIDES.**

28 **(C) THE HOURS OF SALE FOR THE PERMIT:**

1 **(1) BEGIN AT THE SAME TIME AS THOSE FOR THE UNDERLYING**
 2 **LICENSE; AND**

3 **(2) END AT MIDNIGHT.**

4 **(D) (1) ~~THE~~ EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS**
 5 **SUBSECTION, THE ANNUAL PERMIT FEES ARE:**

6 ~~(1)~~ **(I) \$50 FOR AN APPLICANT WHOSE LICENSE HAS AN OFF-SALE**
 7 **PRIVILEGE; AND**

8 ~~(2)~~ **(II) \$500 FOR AN APPLICANT WHOSE LICENSE DOES NOT HAVE**
 9 **AN OFF-SALE PRIVILEGE.**

10 **(2) AN APPLICANT WHO HAS A REFILLABLE CONTAINER PERMIT MAY**
 11 **NOT BE CHARGED A FEE FOR A NONREFILLABLE CONTAINER PERMIT.**

12 19-102.

13 This title applies only in Dorchester County.

14 19-1101.

15 (a) The following sections of Title 4, Subtitle 11 (“Additional License Privileges”) of Division I of this article apply in the county without exception or variation:

17 (1) § 4-1102 (“Corkage — Consuming wine not purchased from license
 18 holder on licensed premises”); and

19 (2) § 4-1103 (“Removal of partially consumed bottle of wine from licensed
 20 premises”).

21 (b) Section 4-1105 (“Refillable container permit — Wine”) of Division I of this
 22 article does not apply in the county.

23 (c) **THE FOLLOWING SECTIONS OF TITLE 4, SUBTITLE 11 (“ADDITIONAL**
 24 **LICENSE PRIVILEGES”) OF DIVISION I OF THIS ARTICLE APPLY IN THE COUNTY:**

25 **(1) [Section] § 4-1104 (“Refillable container permit — Draft beer”) [of**
 26 **Division I of this article applies in the county], subject to § 19-1102 of this subtitle; AND**

27 **(2) § 4-1106 (“NONREFILLABLE CONTAINER PERMIT — DRAFT**
 28 **BEER”), SUBJECT TO § 19-1103 OF THIS SUBTITLE.**

29 **19-1103.**

1 (A) THE BOARD MAY ISSUE A NONREFILLABLE CONTAINER PERMIT FOR
2 DRAFT BEER TO A HOLDER OF:

3 (1) A CLASS B BEER LICENSE;

4 (2) A CLASS B BEER AND WINE LICENSE;

5 (3) A CLASS B BEER, WINE, AND LIQUOR LICENSE;

6 (4) A CLASS D BEER LICENSE;

7 (5) A CLASS D BEER AND WINE LICENSE; OR

8 (6) A CLASS D BEER, WINE, AND LIQUOR LICENSE.

9 (B) AN APPLICANT FOR THE PERMIT SHALL COMPLETE THE FORM THAT
10 THE BOARD PROVIDES.

11 (C) THE HOURS OF SALE FOR THE PERMIT:

12 (1) BEGIN AT THE SAME TIME AS THOSE FOR THE UNDERLYING
13 LICENSE; AND

14 (2) END AT MIDNIGHT.

15 (D) IN AN AREA OF THE LICENSED PREMISES THAT IS ACCESSIBLE TO THE
16 PUBLIC, THE PERMIT HOLDER MAY NOT DISPLAY OR PROVIDE SHELVING FOR BEER
17 FOR OFF-PREMISES CONSUMPTION.

18 (E) THE BOARD MAY ADOPT REGULATIONS TO CARRY OUT THIS SECTION,
19 INCLUDING LIMITING THE NUMBER OF NONREFILLABLE CONTAINER PERMITS THAT
20 MAY BE ISSUED IN THE COUNTY.

21 (F) (1) ~~THE~~ EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS
22 SUBSECTION, THE ANNUAL PERMIT FEES ARE:

23 ~~(1)~~ (I) \$50 FOR AN APPLICANT WHOSE LICENSE HAS AN OFF-SALE
24 PRIVILEGE; AND

25 ~~(2)~~ (II) \$500 FOR AN APPLICANT WHOSE LICENSE DOES NOT HAVE
26 AN OFF-SALE PRIVILEGE.

1 **(2) AN APPLICANT WHO HAS A REFILLABLE CONTAINER PERMIT MAY**
2 **NOT BE CHARGED A FEE FOR A NONREFILLABLE CONTAINER PERMIT.**

3 20-102.

4 This title applies only in Frederick County.

5 20-1101.

6 (a) The following sections of Title 4, Subtitle 11 (“Additional License Privileges”)
7 of Division I of this article apply in the county without exception or variation:

8 (1) § 4-1102 (“Corkage — Consuming wine not purchased from license
9 holder on licensed premises”); and

10 (2) § 4-1103 (“Removal of partially consumed bottle of wine from licensed
11 premises”).

12 (b) The following sections of Title 4, Subtitle 11 (“Additional License Privileges”)
13 of Division I of this article apply in the county:

14 (1) § 4-1104 (“Refillable container permit — Draft beer”), subject to §
15 20-1104 of this subtitle; [and]

16 (2) § 4-1105 (“Refillable container permit — Wine”), subject to § 20-1105
17 of this subtitle; AND

18 **(3) § 4-1106 (“NONREFILLABLE CONTAINER PERMIT — DRAFT**
19 **BEER”), SUBJECT TO § 20-1106 OF THIS SUBTITLE.**

20 **20-1106.**

21 **(A) THE BOARD MAY ISSUE A NONREFILLABLE CONTAINER PERMIT FOR**
22 **DRAFT BEER TO A HOLDER OF A CLASS A LICENSE OR A CLASS B LICENSE.**

23 **(B) (1) THE EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS**
24 **SUBSECTION, THE ANNUAL PERMIT FEE IS \$50.**

25 **(2) AN APPLICANT WHO HAS A REFILLABLE CONTAINER PERMIT MAY**
26 **NOT BE CHARGED A FEE FOR A NONREFILLABLE CONTAINER PERMIT.**

27 21-102.

28 This title applies only in Garrett County.

29 21-1101.

1 (a) Section 4–1103 (“Removal of partially consumed bottle of wine from licensed
2 premises”) of Division I of this article applies in the county without exception or variation.

3 (b) Section 4–1105 (“Refillable container permit — Wine”) of Division I of this
4 article does not apply in the county.

5 (c) The following sections of Title 4, Subtitle 11 (“Additional License Privileges”)
6 of Division I of this article apply in the county:

7 (1) § 4–1102 (“Corkage — Consuming wine not purchased from license
8 holder on licensed premises”), in addition to § 21–1102 of this subtitle; [and]

9 (2) § 4–1104 (“Refillable container permit — Draft beer”), subject to §
10 21–1104 of this subtitle; AND

11 **(3) § 4–1106 (“NONREFILLABLE CONTAINER PERMIT — DRAFT
12 BEER”), SUBJECT TO § 21–1104.1 OF THIS SUBTITLE.**

13 **21–1104.1.**

14 **(A) THE BOARD MAY ISSUE A NONREFILLABLE CONTAINER PERMIT FOR
15 DRAFT BEER TO A HOLDER OF A DRAFT BEER PERMIT WHO ALSO HOLDS ANY OTHER
16 LICENSE EXCEPT A CLASS A LICENSE OR A CLASS C LICENSE.**

17 **(B) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR
18 AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 1 YEAR OR A
19 FINE NOT EXCEEDING \$5,000 OR BOTH.**

20 22–102.

21 This title applies only in Harford County.

22 22–1101.

23 (a) The following sections of Title 4, Subtitle 11 (“Additional License Privileges”)
24 of Division I of this article apply in the county without exception or variation:

25 (1) § 4–1102 (“Corkage — Consuming wine not purchased from license
26 holder on licensed premises”); and

27 (2) § 4–1103 (“Removal of partially consumed bottle of wine from licensed
28 premises”).

29 (b) The following sections of Title 4, Subtitle 11 (“Additional License Privileges”)
30 of Division I of this article apply in the county:

1 (1) § 4-1104 (“Refillable container permit — Draft beer”), subject to §
2 22-1102 of this subtitle; [and]

3 (2) § 4-1105 (“Refillable container permit — Wine”), subject to § 22-1103
4 of this subtitle; AND

5 (3) § 4-1106 (“NONREFILLABLE CONTAINER PERMIT — DRAFT
6 BEER”), SUBJECT TO § 22-1104 OF THIS SUBTITLE.

7 22-1104.

8 (A) THE BOARD MAY ISSUE A NONREFILLABLE CONTAINER PERMIT FOR
9 DRAFT BEER TO A HOLDER OF:

10 (1) A CLASS A-1 LICENSE;

11 (2) A CLASS A-2 LICENSE;

12 (3) A CLASS B LICENSE THAT HAS OFF-SALE PRIVILEGES; OR

13 (4) A CLASS D LICENSE.

14 (B) (1) THE EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS
15 SUBSECTION, THE ANNUAL PERMIT FEE IS \$50.

16 (2) AN APPLICANT WHO HAS A REFILLABLE CONTAINER PERMIT MAY
17 NOT BE CHARGED A FEE FOR A NONREFILLABLE CONTAINER PERMIT.

18 23-102.

19 This title applies only in Howard County.

20 23-1101.

21 (a) The following sections of Title 4, Subtitle 11 (“Additional License Privileges”)
22 of Division I of this article apply in the county without exception or variation:

23 (1) § 4-1102 (“Corkage — Consuming wine not purchased from license
24 holder on licensed premises”); and

25 (2) § 4-1103 (“Removal of partially consumed bottle of wine from licensed
26 premises”).

1 (b) The following sections of Title 4, Subtitle 11 (“Additional License Privileges”)
2 of Division I of this article apply in the county:

3 (1) § 4–1104 (“Refillable container permit — Draft beer”), subject to §
4 23–1102 of this subtitle; [and]

5 (2) § 4–1105 (“Refillable container permit — Wine”), subject to § 23–1103
6 of this subtitle; AND

7 **(3) § 4–1106 (“NONREFILLABLE CONTAINER PERMIT — DRAFT**
8 **BEER”), SUBJECT TO § 23–1104 OF THIS SUBTITLE.**

9 **23–1104.**

10 **(A) THE BOARD MAY ISSUE A NONREFILLABLE CONTAINER PERMIT FOR**
11 **DRAFT BEER TO A HOLDER OF ANY CLASS OF LICENSE EXCEPT A CLASS C LICENSE**
12 **AND A CLASS GC LICENSE.**

13 **(B) AN APPLICANT FOR THE PERMIT SHALL COMPLETE THE FORM THAT**
14 **THE BOARD PROVIDES.**

15 **(C) THERE IS NO FEE FOR THE PERMIT.**

16 25–102.

17 This title applies only in Montgomery County.

18 25–1101.

19 (a) Section 4–1103 (“Removal of partially consumed bottle of wine from licensed
20 premises”) of Division I of this article applies in the county without exception or variation.

21 (b) The following sections of Title 4, Subtitle 11 (“Additional License Privileges”)
22 of Division I of this article apply in the county:

23 (1) § 4–1102 (“Corkage — Consuming wine not purchased from license
24 holder on licensed premises”), in addition to § 25–1102 of this subtitle;

25 (2) § 4–1104 (“Refillable container permit — Draft beer”), subject to §
26 25–1103 of this subtitle; [and]

27 (3) § 4–1105 (“Refillable container permit — Wine”), subject to § 25–1104
28 of this subtitle; AND

1 **(4) § 4-1106 (“NONREFILLABLE CONTAINER PERMIT — DRAFT**
2 **BEER”), SUBJECT TO § 25-1104.1 OF THIS SUBTITLE.**

3 **25-1104.1.**

4 **(A) THE BOARD MAY ISSUE A NONREFILLABLE CONTAINER PERMIT FOR**
5 **DRAFT BEER TO A HOLDER OF A CLASS B BEER AND WINE LICENSE, A CLASS D BEER**
6 **AND WINE LICENSE, OR A CLASS BD-BWL LICENSE.**

7 **(B) AN APPLICANT FOR THE PERMIT SHALL COMPLETE THE FORM THAT**
8 **THE BOARD PROVIDES.**

9 **(C) THE HOURS OF SALE FOR THE PERMIT BEGIN AND END AT THE SAME**
10 **TIME AS THOSE FOR THE UNDERLYING LICENSE.**

11 **(D) THE PERMIT MAY BE RENEWED EACH YEAR WITH THE RENEWAL OF THE**
12 **UNDERLYING LICENSE.**

13 **(E) THE BOARD SHALL ISSUE THE PERMIT AT NO COST TO THE APPLICANT.**

14 **26-102.**

15 This title applies only in Prince George’s County.

16 **26-1101.**

17 (a) The following sections of Title 4, Subtitle 11 (“Additional License Privileges”)
18 of Division I of this article apply in the county without exception or variation:

19 (1) § 4-1102 (“Corkage — Consuming wine not purchased from license
20 holder on licensed premises”); and

21 (2) § 4-1103 (“Removal of partially consumed bottle of wine from licensed
22 premises”).

23 (b) Section 4-1105 (“Refillable container permit — Wine”) of Division I of this
24 article does not apply in the county.

25 **(c) THE FOLLOWING SECTIONS OF TITLE 4, SUBTITLE 11 (“ADDITIONAL**
26 **LICENSE PRIVILEGES”) OF DIVISION I OF THIS ARTICLE APPLY IN THE COUNTY:**

27 **(1) [Section] § 4-1104 (“Refillable container permit — Draft beer”) [of**
28 **Division I of this article applies in the county], subject to § 26-1102 of this subtitle; AND**

1 **(2) § 4-1106 (“NONREFILLABLE CONTAINER PERMIT — DRAFT**
2 **BEER”), SUBJECT TO § 26-1102.1 OF THIS SUBTITLE.**

3 **26-1102.1.**

4 **(A) THE BOARD MAY ISSUE A NONREFILLABLE CONTAINER PERMIT FOR**
5 **DRAFT BEER TO A HOLDER OF A CLASS B BEER, WINE, AND LIQUOR LICENSE WITH**
6 **OFF-SALE PRIVILEGES.**

7 **(B) AN APPLICANT FOR THE PERMIT SHALL COMPLETE THE FORM THAT**
8 **THE BOARD PROVIDES.**

9 **(C) THE HOURS OF SALE FOR THE PERMIT:**

10 **(1) BEGIN AT THE SAME TIME AS THOSE FOR THE UNDERLYING**
11 **LICENSE; AND**

12 **(2) END AT MIDNIGHT.**

13 **(D) THE BOARD SHALL ADOPT REGULATIONS TO CARRY OUT THIS SECTION.**

14 **(E) (1) ~~THE~~ EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS**
15 **SUBSECTION, THE BOARD SHALL SET AN ANNUAL PERMIT FEE.**

16 **(2) AN APPLICANT WHO HAS A REFILLABLE CONTAINER PERMIT MAY**
17 **NOT BE CHARGED A FEE FOR A NONREFILLABLE CONTAINER PERMIT.**

18 27-102.

19 This title applies only in Queen Anne’s County.

20 27-1101.

21 (a) The following sections of Title 4, Subtitle 11 (“Additional License Privileges”)
22 of Division I of this article apply in the county without exception or variation:

23 (1) § 4-1102 (“Corkage — Consuming wine not purchased from license
24 holder on licensed premises”); and

25 (2) § 4-1103 (“Removal of partially consumed bottle of wine from licensed
26 premises”).

27 (b) Section 4-1105 (“Refillable container permit — Wine”) of Division I of this
28 article does not apply in the county.

1 (c) THE FOLLOWING SECTIONS OF TITLE 4, SUBTITLE 11 (“ADDITIONAL
2 LICENSE PRIVILEGES”) OF DIVISION I OF THIS ARTICLE APPLY IN THE COUNTY:

3 (1) [Section] § 4–1104 (“Refillable container permit — Draft beer”) [of
4 Division I of this article applies in the county], subject to § 27–1102 of this subtitle; AND

5 (2) § 4–1106 (“NONREFILLABLE CONTAINER PERMIT — DRAFT
6 BEER”), SUBJECT TO § 27–1103 OF THIS SUBTITLE.

7 27–1103.

8 (A) THE BOARD MAY ISSUE A NONREFILLABLE CONTAINER PERMIT FOR
9 DRAFT BEER TO A HOLDER OF A CLASS A LICENSE, A CLASS B LICENSE, A CLASS C
10 LICENSE, OR A CLASS D LICENSE.

11 (B) AN APPLICANT FOR THE PERMIT SHALL COMPLETE THE FORM THAT
12 THE BOARD PROVIDES.

13 (C) THE HOURS OF SALE FOR THE PERMIT:

14 (1) BEGIN AT THE SAME TIME AS THOSE FOR THE UNDERLYING
15 LICENSE; AND

16 (2) END AT MIDNIGHT.

17 (D) (1) THE EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS
18 SUBSECTION, THE ANNUAL PERMIT FEES ARE:

19 ~~(1)~~ (I) \$50 FOR AN APPLICANT WHOSE LICENSE HAS AN OFF–SALE
20 PRIVILEGE; AND

21 ~~(2)~~ (II) \$500 FOR AN APPLICANT WHOSE LICENSE DOES NOT HAVE
22 AN OFF–SALE PRIVILEGE.

23 (2) AN APPLICANT WHO HAS A REFILLABLE CONTAINER PERMIT MAY
24 NOT BE CHARGED A FEE FOR A NONREFILLABLE CONTAINER PERMIT.

25 28–102.

26 This title applies only in St. Mary’s County.

27 28–1101.

28 (a) The following sections of Title 4, Subtitle 11 (“Additional License Privileges”)
29 of Division I of this article apply in the county without exception or variation:

1 (1) § 4-1102 (“Corkage — Consuming wine not purchased from license
2 holder on licensed premises”); and

3 (2) § 4-1103 (“Removal of partially consumed bottle of wine from licensed
4 premises”).

5 (b) Section 4-1105 (“Refillable container permit — Wine”) of Division I of this
6 article does not apply in the county.

7 (c) **THE FOLLOWING SECTIONS OF TITLE 4, SUBTITLE 11 (“ADDITIONAL
8 LICENSE PRIVILEGES”) OF DIVISION I OF THIS ARTICLE APPLY IN THE COUNTY:**

9 (1) [Section] § 4-1104 (“Refillable container permit — Draft beer”) [of
10 Division I of this article applies in the county], subject to § 28-1102 of this subtitle; AND

11 (2) **§ 4-1106 (“NONREFILLABLE CONTAINER PERMIT — DRAFT
12 BEER”), SUBJECT TO § 28-1103 OF THIS SUBTITLE.**

13 **28-1103.**

14 (A) **THE BOARD MAY ISSUE A NONREFILLABLE CONTAINER PERMIT FOR
15 DRAFT BEER TO A HOLDER OF A CLASS A LICENSE, A CLASS B LICENSE, OR A CLASS
16 D LICENSE.**

17 (B) **AN APPLICANT FOR THE PERMIT SHALL COMPLETE THE FORM THAT
18 THE BOARD PROVIDES.**

19 (C) **THE HOURS OF SALE FOR THE PERMIT:**

20 (1) **BEGIN AT THE SAME TIME AS THOSE FOR THE UNDERLYING
21 LICENSE; AND**

22 (2) **END AT MIDNIGHT.**

23 (D) **THE BOARD SHALL ADOPT REGULATIONS TO CARRY OUT THIS SECTION.**

24 (E) (1) **THE EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS
25 SUBSECTION, THE BOARD MAY CHARGE ANNUAL PERMIT FEES OF UP TO:**

26 ~~(1)~~ (I) **\$50 FOR AN APPLICANT WHO HOLDS AN UNDERLYING
27 LICENSE WITH AN OFF-SALE PRIVILEGE; OR**

28 ~~(2)~~ (II) **\$500 FOR AN APPLICANT WHO HOLDS AN UNDERLYING
29 LICENSE WITHOUT AN OFF-SALE PRIVILEGE.**

1 **(2) AN APPLICANT WHO HAS A REFILLABLE CONTAINER PERMIT MAY**
2 **NOT BE CHARGED A FEE FOR A NONREFILLABLE CONTAINER PERMIT.**

3 31-102.

4 This title applies only in Washington County.

5 31-1101.

6 (a) The following sections of Title 4, Subtitle 11 (“Additional License Privileges”)
7 of Division I of this article apply in the county without exception or variation:

8 (1) § 4-1102 (“Corkage — Consuming wine not purchased from license
9 holder on licensed premises”); and

10 (2) § 4-1103 (“Removal of partially consumed bottle of wine from licensed
11 premises”).

12 (b) Section 4-1105 (“Refillable container permit — Wine”) of Division I of this
13 article does not apply in the county.

14 (c) **THE FOLLOWING SECTIONS OF TITLE 4, SUBTITLE 11 (“ADDITIONAL**
15 **LICENSE PRIVILEGES”) OF DIVISION I OF THIS ARTICLE APPLY IN THE COUNTY:**

16 (1) [Section] § 4-1104 (“Refillable container permit — Draft beer”) [of
17 Division I of this article applies in the county], subject to § 31-1102 of this subtitle; AND

18 (2) **§ 4-1106 (“NONREFILLABLE CONTAINER PERMIT — DRAFT**
19 **BEER”), SUBJECT TO § 31-1102.1 OF THIS SUBTITLE.**

20 **31-1102.1.**

21 **(A) THE BOARD MAY ISSUE A NONREFILLABLE CONTAINER PERMIT FOR**
22 **DRAFT BEER TO A HOLDER OF A CLASS A LICENSE, A CLASS B LICENSE, OR A CLASS**
23 **D LICENSE.**

24 **(B) AN APPLICANT FOR THE PERMIT SHALL COMPLETE THE FORM THAT**
25 **THE BOARD PROVIDES.**

26 **(C) THE HOURS OF SALE FOR THE PERMIT:**

27 (1) **BEGIN AT THE SAME TIME AS THOSE FOR THE UNDERLYING**
28 **LICENSE; AND**

1 **(2) END AT MIDNIGHT.**

2 **(D) (1) THE EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS**
3 **SUBSECTION, THE ANNUAL PERMIT FEES ARE:**

4 ~~(1)~~ **(I) \$50 FOR AN APPLICANT WHOSE LICENSE HAS AN OFF-SALE**
5 **PRIVILEGE; AND**

6 ~~(2)~~ **(II) \$500 FOR AN APPLICANT WHOSE LICENSE DOES NOT HAVE**
7 **AN OFF-SALE PRIVILEGE.**

8 **(2) AN APPLICANT WHO HAS A REFILLABLE CONTAINER PERMIT MAY**
9 **NOT BE CHARGED A FEE FOR A NONREFILLABLE CONTAINER PERMIT.**

10 32-102.

11 This title applies only in Wicomico County.

12 32-1101.

13 (a) The following sections of Title 4, Subtitle 11 (“Additional License Privileges”) of Division I of this article apply in the county without exception or variation:

15 (1) § 4-1102 (“Corkage — Consuming wine not purchased from license holder on licensed premises”); and

17 (2) § 4-1103 (“Removal of partially consumed bottle of wine from licensed premises”).

19 (b) Section 4-1105 (“Refillable container permit — Wine”) of Division I of this article does not apply in the county.

21 **(c) THE FOLLOWING SECTIONS OF TITLE 4, SUBTITLE 11 (“ADDITIONAL**
22 **LICENSE PRIVILEGES”) OF DIVISION I OF THIS ARTICLE APPLY IN THE COUNTY:**

23 **(1) [Section] § 4-1104 (“Refillable container permit — Draft beer”) [of**
24 **Division I of this article applies in the county], subject to § 32-1102 of this subtitle; AND**

25 **(2) § 4-1106 (“NONREFILLABLE CONTAINER PERMIT — DRAFT**
26 **BEER”), SUBJECT TO § 32-1103 OF THIS SUBTITLE.**

27 32-1103.

28 **(A) THE BOARD MAY ISSUE A NONREFILLABLE CONTAINER PERMIT FOR**
29 **DRAFT BEER TO A HOLDER OF ANY LICENSE ISSUED BY THE BOARD EXCEPT A CLASS**

1 **C LICENSE, CLASS D LICENSE, CLASS B–CONFERENCE CENTER LICENSE, AND**
 2 **CLASS B–STADIUM LICENSE.**

3 **(B) AN APPLICANT FOR THE PERMIT SHALL COMPLETE THE FORM THAT**
 4 **THE BOARD PROVIDES.**

5 **(C) THE HOURS OF SALE FOR THE PERMIT:**

6 **(1) BEGIN AT THE SAME TIME AS THOSE FOR THE UNDERLYING**
 7 **LICENSE; AND**

8 **(2) END AT MIDNIGHT.**

9 **(D) RECEIPTS COLLECTED UNDER THE PERMIT ARE TO BE INCLUDED IN**
 10 **THE CALCULATION OF AVERAGE DAILY RECEIPTS FROM THE SALE OF ALCOHOLIC**
 11 **BEVERAGES UNDER A CLASS B RESTAURANT LICENSE, CLASS B HOTEL LICENSE,**
 12 **AND CLASS B GOLF COURSE LICENSE.**

13 **(E) (1) THE EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS**
 14 **SUBSECTION, THE ANNUAL PERMIT FEE IS \$500.**

15 **(2) AN APPLICANT WHO HAS A REFILLABLE CONTAINER PERMIT MAY**
 16 **NOT BE CHARGED A FEE FOR A NONREFILLABLE CONTAINER PERMIT.**

17 33–102.

18 This title applies only in Worcester County.

19 33–1101.

20 (a) The following sections of Title 4, Subtitle 11 (“Additional License Privileges”) of Division I of this article apply in the county without exception or variation:

22 (1) § 4–1102 (“Corkage — Consuming wine not purchased from license
 23 holder on licensed premises”); and

24 (2) § 4–1103 (“Removal of partially consumed bottle of wine from licensed
 25 premises”).

26 (b) Section 4–1105 (“Refillable container permit — Wine”) of Title 4, Subtitle 11
 27 (“Additional License Privileges”) of Division I of this article does not apply in the county.

28 **(c) THE FOLLOWING SECTIONS OF TITLE 4, SUBTITLE 11 (“ADDITIONAL**
 29 **LICENSE PRIVILEGES”) OF DIVISION I OF THIS ARTICLE APPLY IN THE COUNTY:**

1 **(1)** [Section] § 4-1104 (“Refillable container permit — Draft beer”) [of Title
2 4, Subtitle 11 (“Additional License Privileges”) of Division I of this article applies in the
3 county], subject to § 33-1103 of this subtitle; AND

4 **(2)** § 4-1106 (“NONREFILLABLE CONTAINER PERMIT — DRAFT
5 BEER”), SUBJECT TO § 33-1104 OF THIS SUBTITLE.

6 **33-1104.**

7 **(A)** THE BOARD MAY ISSUE A NONREFILLABLE CONTAINER PERMIT FOR
8 DRAFT BEER TO A HOLDER OF A CLASS B LICENSE OR A CLASS D LICENSE.

9 **(B)** **(1)** BEFORE THE BOARD ISSUES THE PERMIT TO AN APPLICANT, THE
10 APPLICANT SHALL:

11 ~~(1)~~ **(I)** COMPLETE THE FORM THAT THE BOARD PROVIDES; AND

12 ~~(2)~~ **(II)** EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS
13 SUBSECTION, PAY AN ANNUAL PERMIT FEE OF \$500.

14 **(2)** AN APPLICANT WHO HAS A REFILLABLE CONTAINER PERMIT MAY
15 NOT BE CHARGED A FEE FOR A NONREFILLABLE CONTAINER PERMIT.

16 **(C)** THE HOURS OF SALE FOR THE PERMIT:

17 **(1)** BEGIN AT THE SAME TIME AS THOSE FOR THE UNDERLYING
18 LICENSE; AND

19 **(2)** END AT MIDNIGHT.

20 **(D)** RECEIPTS COLLECTED UNDER THE PERMIT SHALL BE INCLUDED IN THE
21 CALCULATION OF AVERAGE DAILY RECEIPTS FROM THE SALE OF ALCOHOLIC
22 BEVERAGES UNDER A CLASS B RESTAURANT LICENSE AND A CLASS B HOTEL
23 LICENSE.

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
25 1, 2017.