

HOUSE BILL 1422

A2

8lr3304
CF SB 1072

By: **Caroline County Delegation**

Introduced and read first time: February 9, 2018

Assigned to: Economic Matters

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 13, 2018

CHAPTER _____

1 AN ACT concerning

2 **Caroline County – Alcoholic Beverages – Bed and Breakfast License**

3 FOR the purpose of establishing a 7–day Class B–BB (bed and breakfast) on–sale beer,
4 wine, and liquor license in Caroline County; providing the qualifications that must
5 be met for the issuance or renewal of the license; authorizing the license holder to
6 sell alcoholic beverages to guests of the establishment under certain circumstances;
7 authorizing the license holder to sell alcoholic beverages to guests of certain catered
8 events on– and off–premises under certain circumstances; specifying the hours for
9 sale of alcoholic beverages; specifying that, except during certain catered events or
10 ticketed events hosted by the license holder, the license does not authorize the license
11 holder to sell alcoholic beverages to certain individuals; authorizing the license
12 holder to allow certain guests to consume personal alcoholic beverages on the
13 premises under certain circumstances and subject to a certain limitation; specifying
14 that certain restrictions do not apply to a permanent resident of the establishment
15 or to guests of the permanent resident; specifying that a license is void under certain
16 circumstances and must be returned to the Board; requiring the license holder to
17 retain and make available certain records; providing for an annual fee for the license;
18 and generally relating to a Class B–BB license in Caroline County.

19 BY renumbering

20 Article – Alcoholic Beverages

21 Section 15–1001

22 to be Section 15–1001.1

23 Annotated Code of Maryland

24 (2016 Volume and 2017 Supplement)

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 BY repealing and reenacting, without amendments,
2 Article – Alcoholic Beverages
3 Section 15–102
4 Annotated Code of Maryland
5 (2016 Volume and 2017 Supplement)

6 BY adding to
7 Article – Alcoholic Beverages
8 Section 15–1001
9 Annotated Code of Maryland
10 (2016 Volume and 2017 Supplement)

11 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
12 That Section(s) 15–1001 of Article – Alcoholic Beverages of the Annotated Code of Maryland
13 be renumbered to be Section(s) 15–1001.1.

14 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read
15 as follows:

16 **Article – Alcoholic Beverages**

17 15–102.

18 This title applies only in Caroline County.

19 **15–1001.**

20 **(A) THERE IS A CLASS B–BB (BED AND BREAKFAST) BEER, WINE, AND**
21 **LIQUOR LICENSE.**

22 **(B) THE BOARD MAY ISSUE THE LICENSE TO A LICENSE HOLDER WHO IS**
23 **APPROVED BY THE APPROPRIATE LOCAL GOVERNMENTAL UNIT TO OPERATE A BED**
24 **AND BREAKFAST THAT:**

25 **(1) PROVIDES SERVICES ORDINARILY PROVIDED BY A BED AND**
26 **BREAKFAST;**

27 **(2) HAS AT LEAST ONE ROOM BUT NOT MORE THAN ~~10~~ 5 ROOMS, EACH**
28 **WITH SLEEPING ACCOMMODATIONS, EXCLUDING RESIDENT MANAGEMENT**
29 **QUARTERS, THAT THE PUBLIC FOR CONSIDERATION MAY USE FOR A SPECIFIED**
30 **TIME; AND**

31 **(3) HAS A KITCHEN FACILITY THAT HAS BEEN APPROVED BY THE**
32 **APPROPRIATE LOCAL GOVERNMENTAL UNIT.**

1 (C) THE LICENSE AUTHORIZES THE LICENSE HOLDER TO SELL BEER, WINE,
2 AND LIQUOR TO A GUEST IF:

3 (1) THE NAME AND ADDRESS OF THE GUEST APPEARS ON THE
4 REGISTRY THAT THE BED AND BREAKFAST MAINTAINS; AND

5 (2) THE GUEST IS AN OCCUPANT OF A SLEEPING ROOM IN THE BED
6 AND BREAKFAST.

7 (D) (1) THE LICENSE AUTHORIZES THE LICENSE HOLDER TO SELL BEER,
8 WINE, AND LIQUOR FOR ON-PREMISES CONSUMPTION TO A GUEST OF A CATERED
9 EVENT AT THE BED AND BREAKFAST IF:

10 (I) 1. THE LICENSE HOLDER IS UNDER CONTRACT TO CATER
11 THE EVENT;

12 ~~(II)~~ 2. THE LICENSE HOLDER CATERES THE EVENT; AND

13 ~~(III)~~ 3. FOOD IS SERVED AT THE CATERED EVENT; OR

14 (II) THE LICENSE HOLDER HOSTS AN EVENT FOR WHICH
15 TICKETS ARE SOLD IN ADVANCE.

16 (2) THE LICENSE AUTHORIZES THE LICENSE HOLDER TO CONTRACT
17 TO PROVIDE ALCOHOLIC BEVERAGES AT EVENTS HELD OFF THE PREMISES IF:

18 (I) THE EVENT IS HELD IN THE COUNTY;

19 (II) THE BED AND BREAKFAST ALSO CONTRACTS TO PROVIDE
20 FOOD AT THE CATERED EVENT; AND

21 (III) THE COST OF ALCOHOLIC BEVERAGES DOES NOT EXCEED
22 50% OF THE TOTAL INVOICE FOR THE CATERED EVENT.

23 (3) ~~(I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE~~
24 THE LICENSE AUTHORIZES THE LICENSE HOLDER TO ALLOW:

25 ~~1. A PATRON OF A CATERED EVENT TO BRING PERSONAL~~
26 ~~ALCOHOLIC BEVERAGES ONTO THE PREMISES OF THE BED AND BREAKFAST FOR~~
27 ~~CONSUMPTION AT THE CATERED EVENT; AND~~

28 ~~2.~~ 2. A GUEST OF THE BED AND BREAKFAST, WHOSE NAME
29 AND ADDRESS APPEARS ON THE REGISTRY OF THE ESTABLISHMENT, TO BRING
30 PERSONAL ALCOHOLIC BEVERAGES ONTO THE PREMISES FOR ON-PREMISES

1 CONSUMPTION DURING THE HOURS AND DAYS AS SET OUT UNDER SUBSECTION (E)
2 OF THIS SECTION.

3 ~~(H) THE LICENSE HOLDER MAY NOT SELL ALCOHOLIC~~
4 ~~BEVERAGES AT A CATERED EVENT TO WHICH A PATRON MAY BRING PERSONAL~~
5 ~~ALCOHOLIC BEVERAGES.~~

6 (E) THE LICENSE HOLDER MAY SELL BEER, WINE, AND LIQUOR FOR
7 ON-PREMISES CONSUMPTION DURING THE HOURS AND DAYS AS SET OUT FOR A
8 CLASS B BEER, WINE, AND LIQUOR LICENSE UNDER § 15-2004 OF THIS TITLE.

9 (F) EXCEPT DURING CATERED EVENTS THAT MEET THE REQUIREMENTS
10 UNDER SUBSECTION (D) OF THIS SECTION OR TICKETED EVENTS HOSTED BY THE
11 LICENSE HOLDER, THE LICENSE DOES NOT AUTHORIZE THE SALE OF BEER, WINE,
12 AND LIQUOR TO AN INDIVIDUAL WHO:

13 (1) IS NOT A GUEST OF THE BED AND BREAKFAST; OR

14 (2) IS REGISTERED AS A GUEST AT THE BED AND BREAKFAST ONLY TO
15 OBTAIN BEER, WINE, AND LIQUOR.

16 (G) (1) A BED AND BREAKFAST MAY NOT BE OPERATED ONLY TO SELL OR
17 PROVIDE BEER, WINE, AND LIQUOR.

18 (2) IF THE BED AND BREAKFAST ENDS OPERATIONS AS A BED AND
19 BREAKFAST:

20 (I) THE LICENSE IS VOID; AND

21 (II) THE LICENSE HOLDER SHALL RETURN THE LICENSE TO THE
22 BOARD.

23 (H) THIS SECTION MAY NOT BE CONSTRUED TO APPLY TO A PERMANENT
24 RESIDENT ON THE PREMISES OR TO GUESTS OF THE PERMANENT RESIDENT.

25 (I) THE LICENSE HOLDER SHALL:

26 (1) MAINTAIN RECORDS OF ALL CATERED EVENTS, ON-PREMISES AND
27 OFF-PREMISES, WHERE ALCOHOLIC BEVERAGES ARE SERVED; AND

28 (2) MAKE THE RECORDS REQUIRED UNDER PARAGRAPH (1) OF THIS
29 SUBSECTION AVAILABLE ON REQUEST TO THE BOARD OR TO THE COMPTROLLER.

30 (J) THE ANNUAL LICENSE FEE IS \$500.

1 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July
2 1, 2018.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.