

Chapter 242

(House Bill 1422)

AN ACT concerning

Caroline County – Alcoholic Beverages – Bed and Breakfast License

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

BY renumbering

Article – Alcoholic Beverages
Section 15–1001
to be Section 15–1001.1
Annotated Code of Maryland
(2016 Volume and 2017 Supplement)

BY repealing and reenacting, without amendments,

Article – Alcoholic Beverages
Section 15–102
Annotated Code of Maryland
(2016 Volume and 2017 Supplement)

BY adding to

Article – Alcoholic Beverages
Section 15–1001
Annotated Code of Maryland
(2016 Volume and 2017 Supplement)

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

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

Article – Alcoholic Beverages

15–102.

This title applies only in Caroline County.

15–1001.

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

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

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

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

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

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

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

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

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

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

~~(H)~~ 2. THE LICENSE HOLDER CATERERS THE EVENT; AND

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

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

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

(I) THE EVENT IS HELD IN THE COUNTY;

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

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

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

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

~~2. A GUEST OF THE BED AND BREAKFAST, WHOSE NAME AND ADDRESS APPEARS ON THE REGISTRY OF THE ESTABLISHMENT, TO BRING PERSONAL ALCOHOLIC BEVERAGES ONTO THE PREMISES FOR ON-PREMISES CONSUMPTION DURING THE HOURS AND DAYS AS SET OUT UNDER SUBSECTION (E) OF THIS SECTION.~~

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

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

(F) EXCEPT DURING CATERED EVENTS THAT MEET THE REQUIREMENTS UNDER SUBSECTION (D) OF THIS SECTION OR TICKETED EVENTS HOSTED BY THE

LICENSE HOLDER, THE LICENSE DOES NOT AUTHORIZE THE SALE OF BEER, WINE, AND LIQUOR TO AN INDIVIDUAL WHO:

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

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

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

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

(I) THE LICENSE IS VOID; AND

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

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

(I) THE LICENSE HOLDER SHALL:

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

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

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

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

Approved by the Governor, April 24, 2018.