

# HOUSE BILL 866

A2

9lr2165  
CF SB 667

---

By: **Allegany County Delegation**

Introduced and read first time: February 8, 2019

Assigned to: Economic Matters

---

## A BILL ENTITLED

1 AN ACT concerning

2 **Allegany County – Alcoholic Beverages – Arts and Entertainment District**  
3 **License**

4 FOR the purpose of establishing the Class C (on–sale) beer and wine Arts and  
5 Entertainment District license in Allegany County; authorizing the Board of License  
6 Commissioners to issue the license to a for–profit festival promoter; establishing that  
7 the license authorizes the holder to exercise the privileges of the license at an  
8 entertainment event that is held in an arts and entertainment district in the county;  
9 establishing certain privileges for the license related to the purchase, transport, and  
10 consumption of beer and wine within the approved event area; requiring an applicant  
11 for a license to submit an application under oath on the form that the Board provides;  
12 establishing that certain provisions of law governing the application for, and  
13 issuance and denial of, alcoholic beverages licenses in the county do not apply to the  
14 license; requiring the license holder to distribute a wristband to certain individuals  
15 at the entertainment event; prohibiting the license holder from serving beer or wine  
16 to an individual who does not wear a wristband; establishing certain penalties for  
17 certain violations of this Act; authorizing a license holder to hold another alcoholic  
18 beverages license of a different class or nature; establishing a certain maximum  
19 duration for the license; limiting the number of licenses that may be issued to an  
20 individual festival promoter in a calendar year; establishing a certain license fee;  
21 and generally relating to the Class C beer and wine Arts and Entertainment District  
22 license in Allegany County.

23 BY renumbering

24 Article – Alcoholic Beverages  
25 Section 9–1304  
26 to be Section 9–1304.1  
27 Annotated Code of Maryland  
28 (2016 Volume and 2018 Supplement)

29 BY repealing and reenacting, without amendments,

---

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Article – Alcoholic Beverages  
2 Section 9–102  
3 Annotated Code of Maryland  
4 (2016 Volume and 2018 Supplement)

5 BY adding to  
6 Article – Alcoholic Beverages  
7 Section 9–1304  
8 Annotated Code of Maryland  
9 (2016 Volume and 2018 Supplement)

10 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
11 That Section(s) 9–1304 of Article – Alcoholic Beverages of the Annotated Code of Maryland  
12 be renumbered to be Section(s) 9–1304.1.

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

15 **Article – Alcoholic Beverages**

16 9–102.

17 This title applies only in Allegany County.

18 **9–1304.**

19 **(A) THERE IS A CLASS C (ON-SALE) BEER AND WINE ARTS AND**  
20 **ENTERTAINMENT DISTRICT LICENSE.**

21 **(B) THE BOARD MAY ISSUE THE LICENSE TO A FOR-PROFIT FESTIVAL**  
22 **PROMOTER.**

23 **(C) (1) THE LICENSE AUTHORIZES THE HOLDER TO EXERCISE ANY OF**  
24 **THE PRIVILEGES CONFERRED BY THE LICENSE AT AN ENTERTAINMENT EVENT THAT**  
25 **IS HELD IN AN ARTS AND ENTERTAINMENT DISTRICT IN THE COUNTY.**

26 **(2) DURING THE EVENT FOR WHICH THE LICENSE IS ISSUED, AN**  
27 **INDIVIDUAL, WITHIN THE APPROVED EVENT AREA IN THE ARTS AND**  
28 **ENTERTAINMENT DISTRICT AND WITH A DESIGNATED CONTAINER UNIQUE TO THE**  
29 **EVENT, MAY:**

30 **(I) PURCHASE BEER OR WINE FROM THE LICENSE HOLDER, OR**  
31 **PURCHASE BEER OR WINE FROM, AND CONSUME ON THE PREMISES OF, ANY OTHER**  
32 **LICENSE HOLDER WITH ON-SALE PRIVILEGES WITHIN THE APPROVED EVENT AREA;**

1                   **(II) TRANSPORT THE BEER OR WINE IN THE DESIGNATED**  
2 **CONTAINER TO THE PREMISES OF ANOTHER LICENSE HOLDER WITH ON-SALE**  
3 **PRIVILEGES WITHIN THE APPROVED EVENT AREA; AND**

4                   **(III) CONSUME THE BEER OR WINE WITHIN THE APPROVED**  
5 **EVENT AREA, INCLUDING THE PREMISES OF ANY LICENSE HOLDER WITH ON-SALE**  
6 **PRIVILEGES.**

7           **(D) (1) AN APPLICANT FOR THE LICENSE SHALL SUBMIT AN APPLICATION**  
8 **UNDER OATH ON THE FORM THAT THE BOARD PROVIDES.**

9                   **(2) SUBTITLES 14 AND 15 OF THIS TITLE DO NOT APPLY TO AN**  
10 **APPLICANT FOR THE LICENSE.**

11           **(E) (1) THE LICENSE HOLDER:**

12                   **(I) AT THE ENTERTAINMENT EVENT FOR WHICH THE LICENSE**  
13 **IS ISSUED SHALL DISTRIBUTE A WRISTBAND TO EACH INDIVIDUAL WHO IS AT LEAST**  
14 **21 YEARS OLD; AND**

15                   **(II) MAY NOT SERVE BEER OR WINE TO AN INDIVIDUAL WHO**  
16 **DOES NOT WEAR A WRISTBAND.**

17           **(2) A PERSON WHO VIOLATES THIS SUBSECTION IS SUBJECT TO:**

18                   **(I) FOR A FIRST OFFENSE, A FINE OF \$250; AND**

19                   **(II) FOR A SECOND OFFENSE, A FINE NOT EXCEEDING \$1,000**  
20 **AND DENIAL OF FURTHER APPLICATIONS FOR A CLASS C (ON-SALE) BEER AND WINE**  
21 **ARTS AND ENTERTAINMENT DISTRICT LICENSE.**

22           **(F) THE LICENSE HOLDER MAY HOLD ANOTHER LICENSE OF A DIFFERENT**  
23 **CLASS OR NATURE.**

24           **(G) THE LICENSE:**

25                   **(1) MAY BE USED FOR A MAXIMUM OF 3 CONSECUTIVE DAYS; AND**

26                   **(2) MAY NOT BE ISSUED TO AN INDIVIDUAL FOR-PROFIT FESTIVAL**  
27 **PROMOTER MORE THAN ONCE IN A CALENDAR YEAR.**

28           **(H) THE LICENSE FEE IS \$500 PER DAY.**

1           SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
2 1, 2019.