

HOUSE BILL 866

A2

9lr2165
CF SB 667

By: **Allegany County Delegation**

Introduced and read first time: February 8, 2019

Assigned to: Economic Matters

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 15, 2019

CHAPTER _____

1 AN ACT concerning

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

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

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.



license fee; and generally relating to the Class L beer, wine, and liquor license and the ~~Class C~~ Class D beer and wine Arts and Entertainment District license in Allegany County.

BY renumbering

Article – Alcoholic Beverages

Section 9–1304

to be Section 9–1304.1

Annotated Code of Maryland

(2016 Volume and 2018 Supplement)

BY repealing and reenacting, without amendments,

Article – Alcoholic Beverages

Section 9–102

Annotated Code of Maryland

(2016 Volume and 2018 Supplement)

BY adding to

Article – Alcoholic Beverages

Section 9–905 and 9–1304

Annotated Code of Maryland

(2016 Volume and 2018 Supplement)

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

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

Article – Alcoholic Beverages

9–102.

This title applies only in Allegany County.

9–905.

(A) THERE IS A CLASS L BEER, WINE, AND LIQUOR LICENSE.

(B) THE BOARD MAY ISSUE THE LICENSE TO THE HOLDER OF A MANUFACTURER’S LICENSE.

(C) THE LICENSE AUTHORIZES THE LICENSE HOLDER, FOR ON-PREMISES CONSUMPTION, TO:

1 **(1) SELL BEER, WINE, AND LIQUOR PRODUCED BY THE HOLDER OR**
2 **ANOTHER HOLDER OF A MANUFACTURER'S LICENSE; AND**

3 **(2) PROVIDE A SAMPLE OF THE BEER, WINE, OR LIQUOR THAT IS**
4 **AUTHORIZED UNDER ITEM (1) OF THIS SUBSECTION AT NO COST.**

5 **(D) THE HOURS OF SALE FOR A CLASS L BEER, WINE, AND LIQUOR LICENSE**
6 **ARE THE SAME AS THOSE FOR THE UNDERLYING MANUFACTURER'S LICENSE.**

7 **(E) THE ANNUAL LICENSE FEE IS \$250.**

8 **9-1304.**

9 **(A) THERE IS A ~~CLASS C~~ CLASS D (ON-SALE) BEER AND WINE ARTS AND**
10 **ENTERTAINMENT DISTRICT LICENSE.**

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

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

16 **(2) DURING THE EVENT FOR WHICH THE LICENSE IS ISSUED, AN**
17 **INDIVIDUAL, WITHIN THE APPROVED EVENT AREA IN THE ARTS AND**
18 **ENTERTAINMENT DISTRICT AND WITH A DESIGNATED CONTAINER UNIQUE TO THE**
19 **EVENT, MAY:**

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

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

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

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

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

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

4 **(I) AT THE ENTERTAINMENT EVENT FOR WHICH THE LICENSE**
5 **IS ISSUED SHALL DISTRIBUTE A WRISTBAND TO EACH INDIVIDUAL WHO IS AT LEAST**
6 **21 YEARS OLD; AND**

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

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

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

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

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

16 **(G) THE LICENSE:**

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

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

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

21 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July
22 1, 2019.