

Chapter 764

(Senate Bill 792)

AN ACT concerning

Baltimore City – Alcoholic Beverages – Related Event Promoter’s Permit

FOR the purpose of creating a related event promoter’s permit in Baltimore City; authorizing the Baltimore City Board of License Commissioners to issue a related event promoter’s permit to a certain applicant who has submitted an application to the Board not less than a certain number of days before a certain date; requiring a holder of a State caterer’s license to obtain a certain license from the Board before the holder may act as a participating license holder at a certain event; requiring an applicant to take certain actions before being granted the related event promoter’s permit; requiring certain license holders to sign and date a certain application and pay a certain fee; specifying that an individual who applies for and obtains a related event promoter’s permit is not required to be a resident of or a registered voter in Baltimore City; requiring the Board to take a certain action within a certain time period; specifying that the permit authorizes the holder to conduct a related event; requiring a related event to be held on certain premises; specifying the duration of a permit; specifying a certain application fee and permit fee; establishing certain penalties; defining certain terms; providing for the termination of this Act; and generally relating to related event promoter’s permits in Baltimore City.

BY repealing and reenacting, without amendments,

Article – Alcoholic Beverages

Section 12–102

Annotated Code of Maryland

(2016 Volume and 2018 Supplement)

BY adding to

Article – Alcoholic Beverages

Section 12–1102.2

Annotated Code of Maryland

(2016 Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,

Article – Alcoholic Beverages

Section 12–2802

Annotated Code of Maryland

(2016 Volume and 2018 Supplement)

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

Article – Alcoholic Beverages

12-102.

This title applies only in Baltimore City.

12-1102.2.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) “CIAA BASKETBALL TOURNAMENT” MEANS THE ANNUAL BASKETBALL TOURNAMENT OF THE CENTRAL INTERCOLLEGIATE ATHLETIC ASSOCIATION.

(3) (I) “RELATED EVENT” MEANS AN EVENT IN WHICH:

1. A LICENSE HOLDER PARTICIPATES IN A COORDINATED PROMOTION WITH A THIRD-PARTY PROMOTER TO SELL OR PROVIDE ALCOHOLIC BEVERAGES DURING A SPECIFIED TIME; AND

2. AT LEAST 75 INDIVIDUALS ARE REASONABLY ANTICIPATED TO PARTICIPATE.

(II) “RELATED EVENT” INCLUDES AN EVENT FOR WHICH TICKETS ARE SOLD TO THE PUBLIC, INCLUDING A CONCERT, AN ENTERTAINMENT EVENT, A HAPPY HOUR, OR A PARTY.

(4) “RELATED EVENT PROMOTER” MEANS AN INDIVIDUAL, A FOR-PROFIT ORGANIZATION, OR A NONPROFIT ORGANIZATION THAT PROMOTES A SOCIAL EVENT RELATED TO THE CIAA BASKETBALL TOURNAMENT AROUND THE SAME TIME AND LOCATION AS THE CIAA BASKETBALL TOURNAMENT.

(B) THERE IS A RELATED EVENT PROMOTER’S PERMIT.

(C) (1) A RELATED EVENT PROMOTER OR A PARTICIPATING LICENSE HOLDER ON BEHALF OF A RELATED EVENT PROMOTER SHALL APPLY FOR A PERMIT FROM THE BOARD BEFORE THE RELATED EVENT PROMOTER MAY PUBLICIZE, SELL TICKETS FOR, ORGANIZE, OPERATE, PRODUCE, OR STAGE A RELATED EVENT.

(2) A HOLDER OF A STATE CATERER’S LICENSE SHALL OBTAIN A CLASS C PER DIEM BEER, BEER AND WINE, OR BEER, WINE, AND LIQUOR LICENSE FROM THE BOARD BEFORE THE HOLDER MAY ACT AS A PARTICIPATING LICENSE HOLDER AT A RELATED EVENT.

(D) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE BOARD MAY GRANT THE PERMIT TO AN APPLICANT WHO SUBMITS AN APPLICATION TO THE BOARD AS PROVIDED UNDER TITLE 4 OF THIS ARTICLE AT LEAST 90 DAYS BEFORE THE DATE OF THE RELATED EVENT.

(2) BEFORE BEING GRANTED THE PERMIT, AN APPLICANT SHALL:

(I) OBTAIN WRITTEN CONSENT FROM A DESIGNEE OF VISIT BALTIMORE;

(II) IF REQUIRED BASED ON THE TYPE OF PREMISES TO BE USED:

1. OBTAIN A SPECIAL EVENT PERMIT FROM THE BALTIMORE CITY DEPARTMENT OF TRANSPORTATION; AND

2. PROVIDE A COPY OF THE SPECIAL EVENT PERMIT TO THE BOARD; AND

(III) PROVIDE A COMPLETED APPLICATION THAT:

1. IS DATED AND NOTARIZED, AND SIGNED BY EACH LICENSE HOLDER THAT WILL PARTICIPATE IN THE RELATED EVENT;

2. LISTS EACH PREMISES FOR WHICH THE RELATED EVENT WILL BE HELD; AND

3. IS ACCOMPANIED BY ANY OTHER DOCUMENT THAT THE BOARD REQUIRES.

(3) AN INDIVIDUAL WHO APPLIES FOR AND IS ISSUED THE PERMIT IS NOT REQUIRED TO BE A RESIDENT OF OR A REGISTERED VOTER IN BALTIMORE CITY.

(4) WITHIN 14 DAYS AFTER RECEIVING AN APPLICATION, THE BOARD SHALL GRANT OR DENY THE PERMIT OR REQUEST MORE INFORMATION FROM THE APPLICANT.

(5) A PERMIT MAY NOT BE ALTERED WITHIN 30 DAYS BEFORE THE RELATED EVENT IS SCHEDULED TO TAKE PLACE.

(E) THE PERMIT AUTHORIZES THE RELATED EVENT PROMOTER AND PARTICIPATING LICENSE HOLDER TO CONDUCT A RELATED EVENT.

(F) THE PERMIT FOR EACH RELATED EVENT MAY BE IN EFFECT FOR THE TIME STATED ON THE SPECIAL EVENT PERMIT REQUIRED UNDER SUBSECTION (D)(2) OF THIS SECTION.

(G) THE BOARD MAY ADOPT REGULATIONS ESTABLISHING THE REQUIREMENTS FOR:

(1) CONDUCTING A RELATED EVENT, INCLUDING HEALTH AND SAFETY STANDARDS TO BE MET BY THE RELATED EVENT PROMOTER AND PARTICIPATING LICENSE HOLDER; AND

(2) PROVIDING PUBLIC NOTICE OF A RELATED EVENT AT THE PREMISES OF PARTICIPATING LICENSE HOLDERS BY THE RELATED EVENT PROMOTER OR PARTICIPATING LICENSE HOLDERS.

(H) (1) THE APPLICATION FEE IS \$50, PAYABLE ON THE SUBMISSION OF THE APPLICATION.

(2) ~~(I) SUBJECT TO SUBPARAGRAPH (II) PARAGRAPH (3) OF THIS PARAGRAPH SUBSECTION, THE~~ THE PERMIT FEE, PAYABLE WHEN THE PERMIT IS GRANTED, IS:

~~1. \$120; AND~~

(I) 1. \$500, IF 75 TO 299 INDIVIDUALS ARE REASONABLY ANTICIPATED TO PARTICIPATE; OR

2. (II) \$1,500, IF 300 OR MORE INDIVIDUALS ARE REASONABLY ANTICIPATED TO PARTICIPATE; AND.

~~2. (II) \$100 FOR EACH LICENSE HOLDER THAT PARTICIPATES IN THE RELATED EVENT.~~

~~(H) (3) ON RECEIPT OF AN APPLICATION, THE BOARD MAY REDUCE THE PERMIT FEE BY NOT MORE THAN 50% IF THE APPLICANT SHOWS THAT THE PROCEEDS FROM THE RELATED EVENT AFTER ADMINISTRATIVE EXPENSES ARE DEDUCTED SHALL BE USED TO BENEFIT AN ORGANIZATION THAT IS EXEMPT FROM TAXATION UNDER § 501(C)(3) OF THE INTERNAL REVENUE CODE.~~

12-2802.

(a) For a violation that is cause for suspension of a license, the Board may:

(1) except as provided in subsections (b) and (c) of this section, for a first offense, impose a fine not exceeding \$500 or suspend the license or both; or

(2) except as provided in subsection (c) of this section, for each subsequent offense, impose a fine not exceeding \$3,000 or suspend the license or both.

(b) For a first offense of selling alcoholic beverages to an individual under the age of 21 years, the Board may impose a fine not exceeding \$1,000 or suspend the license or both.

(c) (1) For the offense of publicizing, selling tickets for, organizing, operating, producing, facilitating, or staging a pub crawl with the knowledge or a reason to know that a pub crawl promoter's permit required under § 12-1101.1 of this title has not been obtained, the Board shall impose a fine of not less than \$1,000 and not more than \$3,000 or suspend the license or both.

(2) A person who violates § 12-1101.1 of this title may not be granted a promoter's permit for at least 1 year.

(D) (1) FOR THE OFFENSE OF PUBLICIZING, SELLING TICKETS FOR, ORGANIZING, OPERATING, PRODUCING, FACILITATING, OR STAGING A RELATED EVENT WITH THE KNOWLEDGE OR A REASON TO KNOW THAT A RELATED EVENT PROMOTER'S PERMIT REQUIRED UNDER § 12-1102.2 OF THIS TITLE HAS NOT BEEN OBTAINED, THE BOARD SHALL IMPOSE A FINE OF NOT LESS THAN \$1,000 AND NOT MORE THAN \$3,000 OR SUSPEND THE LICENSE OR BOTH.

(2) A PERSON WHO VIOLATES § 12-1102.2 OF THIS TITLE MAY NOT BE GRANTED A RELATED EVENT PROMOTER'S PERMIT FOR AT LEAST 1 YEAR.

(E) FOR THE OFFENSE BY A HOLDER OF A STATE CATERER'S LICENSE OF PARTICIPATING IN A CIAA BASKETBALL TOURNAMENT RELATED EVENT WITHOUT FIRST OBTAINING A CLASS C PER DIEM BEER, BEER AND WINE, OR BEER, WINE, AND LIQUOR LICENSE REQUIRED UNDER § 12-1102.2 OF THIS TITLE, THE COMPTROLLER SHALL IMPOSE A FINE OF NOT LESS THAN \$1,000 AND NOT MORE THAN \$3,000 OR SUSPEND THE STATE CATERER'S LICENSE OR BOTH.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2019. It shall remain effective for a period of 4 years and, at the end of June 30, 2023, this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.

Enacted under Article II, § 17(c) of the Maryland Constitution, May 25, 2019.