

SENATE BILL 793

A2

11r2798
CF HB 1242

By: **Senator Young**

Introduced and read first time: February 9, 2021

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable

Senate action: Adopted

Read second time: February 26, 2021

CHAPTER _____

1 AN ACT concerning

2 **Frederick County – Alcoholic Beverages – Consumption Permits**

3 FOR the purpose of establishing a beer and wine consumption permit and a beer, wine, and
4 liquor consumption permit in Frederick County; authorizing the Board of License
5 Commissioners for Frederick County to issue the permits to certain holders of Class
6 A alcoholic beverages licenses; authorizing the holders to allow certain on–premises
7 consumption of alcohol; requiring an applicant for certain permits to submit a certain
8 application to the Board; authorizing the Board to issue certain permits under
9 certain circumstances; providing for the renewal of certain permits; providing for the
10 amount of a certain alcoholic beverage an individual may consume under certain
11 circumstances; establishing the scope of the permits; prohibiting a permit holder
12 from allowing an individual to carry an open container from the licensed premises;
13 prohibiting a permit holder from serving a certain alcoholic beverage from a
14 drive–through window; establishing fees for the permits; and generally relating to
15 alcoholic beverages in Frederick County.

16 BY repealing and reenacting, without amendments,
17 Article – Alcoholic Beverages
18 Section 20–102 and 20–207
19 Annotated Code of Maryland
20 (2016 Volume and 2020 Supplement)

21 BY adding to
22 Article – Alcoholic Beverages
23 Section 20–1102.1 and 20–1102.2

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 Annotated Code of Maryland
2 (2016 Volume and 2020 Supplement)

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

5 **Article – Alcoholic Beverages**

6 20–102.

7 This title applies only in Frederick County.

8 20–207.

9 The Board may adopt regulations to carry out this article.

10 **20–1102.1.**

11 **(A) THERE IS A BEER AND WINE CONSUMPTION (BWC) PERMIT.**

12 **(B) THE BOARD MAY ISSUE THE PERMIT TO THE HOLDER OF A CLASS A**
13 **LICENSE.**

14 **(C) THE PERMIT AUTHORIZES THE HOLDER TO ALLOW FOR ON–PREMISES**
15 **CONSUMPTION OF BEER AND WINE.**

16 **(D) (1) AN APPLICANT FOR THE PERMIT SHALL SUBMIT TO THE BOARD**
17 **AN APPLICATION ON A FORM THAT THE BOARD PROVIDES.**

18 **(2) THE BOARD MAY ISSUE THE PERMIT WITHOUT A PUBLIC**
19 **HEARING.**

20 **(3) IF AN INITIAL PERMIT APPLICATION IS DENIED, THE APPLICANT**
21 **MAY REQUEST A PUBLIC HEARING BEFORE THE BOARD.**

22 **(4) RENEWAL OF THE PERMIT MAY BE MADE WHEN THE LICENSE**
23 **HOLDER’S CLASS A LICENSE IS RENEWED.**

24 **(E) AN INDIVIDUAL MAY CONSUME BEER OR WINE COVERED BY THE PERMIT**
25 **IN A QUANTITY NOT EXCEEDING:**

26 **(1) 12 TOTAL OUNCES OF BEER; OR**

27 **(2) 6 TOTAL OUNCES OF WINE.**

1 **(F) (1) THE PERMIT AUTHORIZES THE CONSUMPTION OF BEER AND WINE**
2 **ONLY ON THE LICENSED PREMISES OF THE HOLDER.**

3 **(2) THE PERMIT HOLDER MAY NOT ALLOW AN OPEN CONTAINER TO**
4 **BE TAKEN FROM THE LICENSED PREMISES.**

5 **(3) THE PERMIT HOLDER MAY NOT SERVE OPEN ALCOHOLIC**
6 **BEVERAGES FROM A DRIVE-THROUGH WINDOW.**

7 **(G) THE ANNUAL PERMIT FEE IS \$200.**

8 **20-1102.2.**

9 **(A) THERE IS A BEER, WINE, AND LIQUOR CONSUMPTION (BWLC) PERMIT.**

10 **(B) THE BOARD MAY ISSUE THE PERMIT TO THE HOLDER OF A CLASS A**
11 **LICENSE.**

12 **(C) THE PERMIT AUTHORIZES THE HOLDER TO ALLOW FOR ON-PREMISES**
13 **CONSUMPTION OF BEER, WINE, AND LIQUOR.**

14 **(D) (1) AN APPLICANT FOR THE PERMIT SHALL SUBMIT TO THE BOARD**
15 **AN APPLICATION ON A FORM THAT THE BOARD PROVIDES.**

16 **(2) THE BOARD MAY ISSUE THE PERMIT WITHOUT A PUBLIC**
17 **HEARING.**

18 **(3) IF AN INITIAL PERMIT APPLICATION IS DENIED, THE APPLICANT**
19 **MAY REQUEST A PUBLIC HEARING BEFORE THE BOARD.**

20 **(4) RENEWAL OF THE PERMIT MAY BE MADE WHEN THE LICENSE**
21 **HOLDER'S CLASS A LICENSE IS RENEWED.**

22 **(E) AN INDIVIDUAL MAY CONSUME BEER, WINE, OR LIQUOR COVERED BY**
23 **THE PERMIT IN A QUANTITY NOT EXCEEDING:**

24 **(1) 12 TOTAL OUNCES OF BEER;**

25 **(2) 6 TOTAL OUNCES OF WINE; OR**

26 **(3) 0.5 TOTAL OUNCES OF LIQUOR, WHICH MAY BE MIXED WITH**
27 **OTHER NONALCOHOLIC BEVERAGES.**

1 (F) (1) THE PERMIT AUTHORIZES THE CONSUMPTION OF BEER, WINE,
2 AND LIQUOR ONLY ON THE LICENSED PREMISES OF THE HOLDER.

3 (2) THE PERMIT HOLDER MAY NOT ALLOW AN OPEN CONTAINER TO
4 BE TAKEN FROM THE LICENSED PREMISES.

5 (3) THE PERMIT HOLDER MAY NOT SERVE OPEN ALCOHOLIC
6 BEVERAGES FROM A DRIVE-THROUGH WINDOW.

7 (G) THE ANNUAL PERMIT FEE IS \$200.

8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
9 1, 2021.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.