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**By: Montgomery County Delegation**

Introduced and read first time: January 31, 1997

Assigned to: Economic Matters

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Committee Report: Favorable

House action: Adopted

Read second time: March 17, 1997

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CHAPTER \_\_\_\_

1 AN ACT concerning

2 **Montgomery County - Alcoholic Beverages**  
3 **(CAT License - Termination Date Removed)**  
4 **MC 705-97**

5 FOR the purpose of removing the termination date in Montgomery County on caterers'  
6 (CAT) licenses; and generally relating to alcoholic beverages in Montgomery  
7 County.

8 BY repealing and reenacting, without amendments,  
9 Article 2B - Alcoholic Beverages  
10 Section 6-706.1 and 13-101  
11 Annotated Code of Maryland  
12 (1996 Replacement Volume)

13 BY repealing and reenacting, with amendments,  
14 Chapter 253 of the Acts of the General Assembly of 1995  
15 Section 2

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

18 **Article 2B - Alcoholic Beverages**

19 6-706.1.

20 (a) This section applies only in Montgomery County.

21 (b) There is a caterer's (CAT) license.

22 (c) The annual license fee is \$1,250.

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1 (d) The hours and days during which the holder of a CAT license may exercise the  
2 privileges of the license are the same as for the holder of a Class B beer, wine and liquor  
3 license.

4 (e) The holder of a CAT license shall meet all the requirements of this article.

5 (f) The holder of a CAT license shall have the facilities to prepare food and  
6 deliver food to the site of the catered affair. The County Health Department shall  
7 approve those facilities before the license may be issued, reissued, or renewed.

8 (g) The holder of a CAT license shall contract for and provide food as well as  
9 alcoholic beverages for consumption at catered events. The holder may not provide only  
10 alcoholic beverages at a catered event. The holder shall meet the same ratio of gross  
11 receipts between food sales and alcoholic beverage sales as a holder of a Class B beer,  
12 wine and liquor license.

13 (h) An applicant for a CAT license need not have a banquet hall. Persons holding  
14 existing licenses are not eligible for a CAT license. A CAT license is a separate alcoholic  
15 beverages license.

16 (i) The holder of a CAT license may not hold any self-sponsored events and may  
17 only hold off-sale events.

18 (j) The holder of a CAT license shall purchase all alcoholic beverages from the  
19 Department of Liquor Control.

20 (k) The holder of a CAT license who violates the requirements of this section is  
21 subject to the provisions of Title 16, Subtitle 5 (Penalties) of this article.

22 13-101.

23 (a) In this section "alcohol awareness program" means a program:

24 (1) That:

25 (i) Is approved and certified by the State Comptroller; and

26 (ii) Has been issued an alcohol awareness program permit by the State  
27 Comptroller;

28 (2) That includes instruction on how alcohol affects a person's:

29 (i) Body; and

30 (ii) Behavior;

31 (3) That provides education on the dangers of drinking and driving; and

32 (4) That defines effective methods for:

33 (i) Serving customers to minimize the chance of intoxication;

34 (ii) Ceasing service before the customer becomes intoxicated; and

35 (iii) Determining if a customer is under the drinking age.

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1 (b) (1) The provisions of this section apply to:

2 (i) Licensed premises that are operated by selling alcoholic beverages  
3 directly to a customer from a bar or service bar on the premises;

4 (ii) Premises licensed for off sale; and

5 (iii) In Montgomery County, a holder of a caterer's license issued  
6 under § 6-706.1 of this article.

7 (2) This section does not apply to:

8 (i) Temporary alcoholic beverages licenses issued under § 7-101 of  
9 this article;

10 (ii) A Class E (on-sale) steamboat alcoholic beverages license;

11 (iii) A Class F (on-sale) railroad alcoholic beverages license; or

12 (iv) A Class G (on-sale) aircraft alcoholic beverages license.

13 (c) (1) A holder of any class of retail alcoholic beverages license or an employee  
14 designated by the holder shall complete training in an approved alcohol awareness  
15 program. The training shall be valid for a period of 4 years, and the holder shall complete  
16 retraining in an approved program for each successive 4-year period.

17 (2) (i) This paragraph applies only in Montgomery County.

18 (ii) The licensee or a person who is employed in a supervisory capacity  
19 designated by the licensee shall be certified by an approved alcohol awareness program  
20 and shall be present during the hours in which alcohol may be sold.

21 (3) (i) This paragraph applies only in Harford County.

22 (ii) The licensee or a person who is employed in a supervisory capacity  
23 designated by the licensee shall be certified by an approved alcohol awareness program  
24 and shall be present during the hours in which alcohol may be sold.

25 (d) Any licensee who violates the provisions of subsection (c) of this section is  
26 subject to:

27 (1) For the first offense, a \$100 fine; and

28 (2) For each subsequent offense, a fine not to exceed \$500 or a suspension  
29 or revocation of the license or both.

30 (e) (1) The State Comptroller:

31 (i) Shall approve and certify each alcohol awareness program that is  
32 in compliance with this section; and

33 (ii) May require recertification of the approved program to insure  
34 compliance with any changes in the program.

35 (2) Any individual who is authorized or employed to teach an alcohol  
36 awareness program must obtain an alcohol awareness instructor's permit.

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1 (3) Each local licensing board is responsible for enforcing this section,  
2 including the penalty provision.

3 (4) (i) A certificate of completion shall be issued for each completion of a  
4 certified program and it shall be valid for 4 years from the date of issuance.

5 (ii) An up-to-date valid certificate shall be presented to the proper  
6 authority upon request.

7 (5) (i) Within 5 days after a licensee or an employee of a licensee is sent  
8 a certificate of completion, the program provider shall inform the appropriate local  
9 licensing board of:

10 1. The individual's name, address, and certification date; and

11 2. The name and address of the licensed establishment.

12 (ii) Any program provider who violates the provisions of this  
13 subsection is subject to a decertification of the program by the State Comptroller.

14 (f) (1) This section may not be construed to create or enlarge any civil cause of  
15 action or criminal proceeding against a licensee.

16 (2) Evidence of a violation of this section may not be introduced in any civil  
17 or criminal proceeding, but may only be used as evidence before the local licensing board  
18 in actions brought before the board for violations of this section.

19 (g) The Comptroller may issue regulations to set standards and requirements  
20 pertaining to course content, course duration, course format and any other course related  
21 activities the Comptroller may require.

22 **Chapter 253 of the Acts of 1995**

23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
24 October 1, 1995. [It shall remain in effect for a period of 2 years and, at the end of  
25 September 30, 1997, with no further action required by the General Assembly, the  
26 provisions of this Act shall be abrogated and of no further force and effect.]

27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
28 July 1, 1997.