

BY: Economic and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL NO. 711

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after “of” insert “requiring owners or employees of bottle clubs in Baltimore City to be certified by an approved alcohol awareness program; requiring the alcohol awareness program provider to provide certain information to the appropriate local board;”; in line 4, after “hours;” insert “requiring bottle club owners or operators to provide certain information to the Baltimore City Liquor Control Board;”; after line 12, insert:

“BY repealing and reenacting, without amendments,

Article 2B - Alcoholic Beverages

Section 13-101(a)

Annotated Code of Maryland

(1996 Replacement Volume and 1997 Supplement)

BY repealing and reenacting, with amendments,

Article 2B - Alcoholic Beverages

Section 13-101(b) and (e)

Annotated Code of Maryland

(1996 Replacement Volume and 1997 Supplement)”;

and in line 15, after “Section” insert “13-101(c)(4) and”.

AMENDMENT NO. 2

On page 1, after line 24, insert:

“13-101.

(a) In this section “alcohol awareness program” means a program:

(Over)

(1) That:

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

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

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

(i) Body; and

(ii) Behavior;

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

(4) That defines effective methods for:

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

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

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

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

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

(ii) Premises licensed for off sale; [and]

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

(IV) IN BALTIMORE CITY, ANY BOTTLE CLUB ESTABLISHMENT.

(2) This section does not apply to:

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

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

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

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

(c) (4) (I) THIS PARAGRAPH APPLIES ONLY IN BALTIMORE CITY.

(II) ANY BOTTLE CLUB OWNER OR A PERSON WHO IS EMPLOYED IN A SUPERVISORY CAPACITY DESIGNATED BY THE OWNER SHALL BE CERTIFIED BY AN APPROVED ALCOHOL AWARENESS PROGRAM AND SHALL BE PRESENT DURING THE HOURS IN WHICH ALCOHOL IS SERVED OR CONSUMED.

(e) (1) The State Comptroller:

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

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

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

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

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

(Over)

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

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

1. The individual's name, address, and certification date; and
2. The name and address of the licensed establishment.

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

AMENDMENT NO. 3

On page 2, in line 13, strike "§ 11-303" and substitute "§§ 6-102, 8-203(D), AND 11-303"; after line 13, insert:

"(D) (1) ANY PERSON WHO OWNS OR OPERATES A BOTTLE CLUB SHALL REGISTER THE ESTABLISHMENT WITH THE BALTIMORE CITY LIQUOR CONTROL BOARD.

(2) THE REGISTRATION SHALL INCLUDE:

(I) THE NAME OF THE ESTABLISHMENT; AND

(II) THE ADDRESS WHERE THE ESTABLISHMENT IS DOING BUSINESS."

and in line 14, strike "(D)" and substitute "(E)".