

HOUSE BILL 853

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1998 Regular Session
8lr2318
CF SB 48

By: **Delegates Eckardt, W. Baker, Schisler, Guns, and Walkup**

Introduced and read first time: February 12, 1998

Assigned to: Economic Matters

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 18, 1998

CHAPTER _____

1 AN ACT concerning

2 **Caroline County - Alcoholic Beverages - Licenses**

3 FOR the purpose of increasing by a certain amount the maximum percent of alcohol
4 by volume allowed in light wines in Caroline County; creating a certain caterer's
5 license; increasing the fees for certain licenses; establishing a 7-day Class D
6 license; altering the sale hours allowed for holders of a certain Class D (taverns)
7 license and allowing those holders to sell beer, wine and liquor on Sundays;
8 increasing the number of times a certain special license may be granted during
9 1 year; and generally relating to alcoholic beverages in Caroline County.

10 BY repealing and reenacting, without amendments,
11 Article 2B - Alcoholic Beverages
12 Section 4-101(a)
13 Annotated Code of Maryland
14 (1996 Replacement Volume and 1997 Supplement)

15 BY repealing and reenacting, with amendments,
16 Article 2B - Alcoholic Beverages
17 Section 4-101(g), 6-401(g), 7-101(j), 11-303(d), and 11-403(b)(2)(vi)
18 Annotated Code of Maryland
19 (1996 Replacement Volume and 1997 Supplement)

20 BY adding to
21 Article 2B - Alcoholic Beverages
22 Section 6-701
23 Annotated Code of Maryland

1 (1996 Replacement Volume and 1997 Supplement)

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

4 **Article 2B - Alcoholic Beverages**

5 4-101.

6 (a) In the jurisdictions listed in this section, "light wine" is a fermented
7 beverage that contains not in excess of 14 percent of alcohol by volume unless another
8 percentage is listed.

9 (g) Caroline County -- 22 PERCENT.

10 6-401.

11 (g) (1) This subsection applies only in Caroline County.

12 (2) The annual license fee is \$1,250 FOR A 6-DAY LICENSE.

13 (3) THE ANNUAL LICENSE FEE IS \$1,600 FOR A 7-DAY LICENSE.

14 [(3)] (4) All alcoholic beverages sold under this license must be
15 consumed on the premises.

16 [(4)] (5) A licensee may sell beer, wine and liquor for consumption on the
17 premises only.

18 6-701.

19 (A) THIS SECTION APPLIES ONLY IN CAROLINE COUNTY.

20 (B) (1) THE CAROLINE COUNTY BOARD OF LICENSE COMMISSIONERS MAY
21 ISSUE A CATERER'S LICENSE TO A LICENSEE WHO:

22 (I) HOLDS ANY ALCOHOLIC BEVERAGES LICENSE ISSUED IN THE
23 COUNTY;

24 (II) HOLDS A CATERER'S LICENSE ISSUED BY THE COUNTY HEALTH
25 DEPARTMENT; AND

26 (III) CONTRACTS TO PROVIDE FOOD AND ALCOHOLIC BEVERAGES
27 TO SPONSORS OF PUBLIC OR PRIVATE EVENTS.

28 (2) THE CAROLINE COUNTY BOARD OF LICENSE COMMISSIONERS SHALL
29 SET THE LICENSE FEE FOR A CATERER'S LICENSE.

30 (C) A CATERER'S LICENSE ISSUED UNDER THIS SECTION AUTHORIZES THE
31 HOLDER TO KEEP FOR SALE AND SELL OR PROVIDE ALCOHOLIC BEVERAGES ON THE
32 PREMISES OF AND DURING THE CATERED EVENT.

1 (D) A HOLDER SHALL PROVIDE FOOD AS WELL AS ALCOHOLIC BEVERAGES
2 FOR CONSUMPTION AT THE CATERED EVENT.

3 (E) A HOLDER MAY EXERCISE THE PRIVILEGES OF A CATERER'S LICENSE
4 ONLY DURING THE HOURS AND DAYS THAT ARE AUTHORIZED FOR A CLASS B
5 RESTAURANT OR HOTEL (ON-SALE) BEER, WINE AND LIQUOR LICENSEE IN CAROLINE
6 COUNTY.

7 (F) THIS SECTION DOES NOT REQUIRE A CLASS B RESTAURANT OR HOTEL
8 (ON-SALE) BEER, WINE AND LIQUOR LICENSEE TO HAVE A CATERER'S LICENSE FOR
9 CATERING ON THE PREMISES THAT IS COVERED BY THE EXISTING LICENSE.

10 7-101.

11 (j) (1) The provisions of this subsection apply only in Caroline County.

12 (2) The Board of License Commissioners may grant special licenses of
13 any class, except manufacturer's and wholesaler's, which entitle the holder to exercise
14 any of the privileges conferred by the respective classes of licenses at any bona fide
15 entertainment held or conducted by any club, society, or association.

16 (3) The license shall be in the form prescribed by the Board, and the
17 applicant shall sign and swear to the license.

18 (4) The [fees are:

19 (i) \$10 per day for any beer license;

20 (ii) \$15 per day for any beer and light wine license; or

21 (iii) \$20 per day for any beer, wine and liquor license] FEE FOR
22 EACH LICENSE IS \$50.

23 (5) Before a license is issued, the fee shall be paid to the Board for the
24 use of the County.

25 (6) A special license may not be granted to any organization more than
26 [6] 12 times in any calendar year.

27 11-303.

28 (d) (1) The hours during which the privileges conferred by a Class D beer,
29 wine and liquor license may be exercised are from 6 a.m. to midnight.

30 (2) Except as otherwise provided in subsections (e) and (f) of this section,
31 in Baltimore City the hours are from 6 a.m. to 1 a.m.

32 (3) In Baltimore County the hours are from 6 a.m. to 2 a.m.

33 (4) In Caroline County the hours [are from 6 a.m.] ON Monday through
34 Saturday [until 1 a.m.] ARE FROM 6 A.M. TO 2 A.M. on the following day (including

1 Sunday) FOR A 6-DAY LICENSE HOLDER. FOR A 7-DAY LICENSE HOLDER THE HOURS
 2 ON MONDAY THROUGH SATURDAY ARE FROM 6 A.M. TO 2 A.M. THE FOLLOWING DAY
 3 (INCLUDING SATURDAY), AND ON SUNDAY, FROM 1 P.M. TO MIDNIGHT.

4 (5) In Queen Anne's County the hours on Monday through Saturday are
 5 from 6 a.m. to 2 a.m. on the following day.

6 (6) In Wicomico County the hours are from 10 a.m. to 2 a.m., Monday
 7 through Saturday. Where sales are permitted until 2 a.m., alcoholic beverages may
 8 not be consumed after 2:30 a.m., at which time all tables and bar areas shall be
 9 cleared of all alcoholic beverages.

10 11-403.

11 (b) (2) (vi) In Caroline County, on Sunday:

12 1. A Class A 7-day licensee may sell the alcoholic beverages
 13 authorized under the license from 8 a.m. to 12 midnight, except that if the sale of
 14 liquor is authorized under the license, liquor may only be sold from 1:00 p.m. to 12
 15 midnight;

16 2. A Class C (clubs) beer, wine and liquor licensee may sell
 17 beer and wine:

18 A. From 12 midnight to 2 a.m.; and

19 B. From 8 a.m. to 12 midnight;

20 3. A Class C (clubs) beer, wine and liquor licensee may sell
 21 liquor:

22 A. From 12 midnight to 2 a.m.; and

23 B. From 1 p.m. to 12 midnight; ~~and~~

24 4. A Class C (clubs) beer licensee may sell beer from 8 a.m. to
 25 12 midnight; AND

26 5. A CLASS D (TAVERNS) BEER, WINE AND LIQUOR LICENSEE
 27 MAY SELL BEER, WINE, AND LIQUOR FROM 1 P.M. TO MIDNIGHT.

28 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
 29 October 1, 1998.

