

SENATE BILL 166

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2000 Regular Session
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By: **Senators Haines, Hafer, Munson, Mooney, DeGrange, and Ferguson**
Introduced and read first time: January 21, 2000
Assigned to: Economic and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Alcoholic Beverages - Class A Licensees - Lottery Ticket Terminal Operators**

3 FOR the purpose of providing that in certain establishments holding a certain class of
4 alcoholic beverages license certain persons may be employed as lottery ticket
5 terminal operators.

6 BY repealing and reenacting, with amendments,
7 Article 2B - Alcoholic Beverages
8 Section 12-302
9 Annotated Code of Maryland
10 (1998 Replacement Volume and 1999 Supplement)

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

13 **Article 2B - Alcoholic Beverages**

14 12-302.

15 (a) Unless provision is made elsewhere, the following provisions apply
16 statewide to persons who are employed in licensed establishments:

17 (1) A person under age 18 may not be engaged in the sale of alcoholic
18 beverages.

19 (2) Except for Class D beer, wine and liquor licensees as provided in
20 paragraph (3) of this subsection, a person between ages 18 and 21 may be employed in
21 the sale of beer and light wine.

22 (3) A person under age 21 may not be employed by any holder of a Class
23 D beer, wine and liquor license in the sale of alcoholic beverages.

24 (4) A PERSON 18 YEARS OLD AND OLDER MAY BE EMPLOYED BY A CLASS
25 A LICENSEE TO OPERATE A LOTTERY TICKET TERMINAL.

1 (b) In the following jurisdictions the specified exceptions to subsection (a) of
2 this section apply:

3 (1) In Anne Arundel County a Class A (off-sale) licensee may employ a
4 person age 16 years or older to stock alcoholic beverages.

5 (2) In Baltimore City a licensee:

6 (i) May employ a person 18 years of age or older to sell, serve,
7 deliver, or otherwise deal with alcoholic beverages;

8 (ii) May not employ or allow a person under the age of 18 years to
9 sell, serve, or deliver alcoholic beverages; and

10 (iii) May not employ or allow a person under the age of 18 years to
11 provide entertainment on the licensed premises.

12 (3) In Baltimore County a member of an alcoholic beverages licensee's
13 immediate family who is under 18 years old may not be employed to sell, deliver, or
14 otherwise deal with alcoholic beverages by the holder of an alcoholic beverages
15 license.

16 (4) (i) The provisions of this paragraph apply only in Carroll County.

17 (ii) Class B licensees may employ a person 15 years or older to
18 perform any task other than those involving selling, serving, or delivering alcoholic
19 beverages.

20 (iii) A person 18 years old and older may serve and sell alcoholic
21 beverages in restaurants in connection with the serving and selling of a meal.

22 (iv) Class A licensees may employ a person 18 years old and older to
23 stock alcoholic beverages AND TO OPERATE A LOTTERY TICKET TERMINAL.

24 (v) A person under 21 years of age may not act as a bartender or
25 barmaid or in any solely bar-related capacity.

26 (5) In Cecil County a licensee may employ a person 18 years old or older
27 to sell, serve, deliver, or otherwise deal with alcoholic beverages.

28 (6) In Dorchester County the holder of a Class A (off-sale) beer license
29 may employ a person 16 years old or older to stock beer at the licensee's place of
30 business.

31 (7) Notwithstanding the other provisions of this section, in Frederick
32 County a licensee may employ a person 18 years of age or older to sell, serve, deliver,
33 or otherwise deal with alcoholic beverages and may employ a person 14 years of age or
34 older to perform any other task other than to sell, serve, or deliver alcoholic
35 beverages.

36 (8) (i) The provisions of this paragraph apply only in Garrett County.

1 (ii) Except as provided in subparagraph (iii) of this paragraph, a
2 licensee may not employ a person under the age of 21 years to sell or deliver alcoholic
3 beverages.

4 (iii) A licensee may employ a person at least 18 years old to:

5 1. Serve and sell alcoholic beverages in a restaurant in
6 connection with the serving or selling of a meal; [or]

7 2. Serve alcoholic beverages from a service bar to a seated
8 customer; OR

9 3. OPERATE A LOTTERY TICKET TERMINAL IN A CLASS A
10 ESTABLISHMENT.

11 (iv) A licensee may not employ a person under the age of 18 years to
12 handle alcoholic beverages.

13 (9) In Kent County the provisions of subsection (c) of this section apply.

14 (10) In Prince George's County a person under age 18 years may not be
15 employed to sell, deliver, or otherwise deal with alcoholic beverages.

16 (11) In Queen Anne's County the provisions of subsection (c) of this section
17 apply.

18 (12) In Washington County a licensee may employ a person 18 years of
19 age or older to sell, serve, deliver, or otherwise deal with alcoholic beverages and may
20 employ a person 16 years of age or older to perform any other task other than to sell,
21 serve, or deliver alcoholic beverages.

22 (c) (1) Notwithstanding any other provision of law, and except as provided
23 by paragraph (2) of this subsection, a person under the age of 21 may not be employed
24 to sell, deliver, or otherwise deal with alcoholic beverages by any of the holders of the
25 licenses listed by county in paragraph (3) of this subsection.

26 (2) A person at least 18 years of age may be employed:

27 (i) To stock alcoholic beverages in a Class A establishment; [or]

28 (ii) Except for Class A licenses, to serve alcoholic beverages while
29 acting in the capacity of a waiter or waitress on the licensed premises; OR

30 (III) TO OPERATE A LOTTERY TICKET TERMINAL IN A CLASS A
31 ESTABLISHMENT.

32 (3) The provisions of this subsection apply within Kent and Queen
33 Anne's Counties to the holder of any:

34 (i) Class A (off-sale) license;

1 (ii) Class B (on-sale) license; and

2 (iii) Class C (on-sale) beer, wine and liquor license.

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
4 October 1, 2000.