
By: **Senator Baker**
Introduced and read first time: January 31, 2000
Assigned to: Economic and Environmental Affairs

Committee Report: Favorable with amendments
Senate action: Adopted
Read second time: March 17, 2000

CHAPTER _____

1 AN ACT concerning

2 **Kent County - Alcoholic Beverages - Licensees**

3 FOR the purpose of authorizing the Kent County Board of License Commissioners to
4 issue a caterer's license to a certain alcoholic beverages licensee; altering the
5 periods of time during which the Board may not issue a new alcoholic beverages
6 license for use on certain premises; establishing that the prohibition against the
7 Board issuing a new alcoholic beverages license during certain times for use on
8 certain premises does not apply under certain circumstances; altering in Kent
9 County the time that certain licensees may open on a Sunday; requiring in Kent
10 County that certain persons be certified by an approved alcohol awareness
11 program and be present during certain hours; providing for a certain limited
12 exemption; making technical changes; providing for a delayed effective date for
13 certain provisions of this Act; and generally relating to alcoholic beverages
14 licensees in Kent County.

15 BY repealing and reenacting, with amendments,
16 Article 2B - Alcoholic Beverages
17 Section 6-705, 11-515, 11-515.1(a)(2) and (3), and ~~13-101(e)(3)~~ 13-101(c)(2)
18 Annotated Code of Maryland
19 (1998 Replacement Volume and 1999 Supplement)

20 BY adding to
21 Article 2B - Alcoholic Beverages
22 Section 10-208(j)
23 Annotated Code of Maryland
24 (1998 Replacement Volume and 1999 Supplement)

1 BY repealing and reenacting, without amendments,
2 Article 2B - Alcoholic Beverages
3 Section 10-208(a), 11-515.1(a)(1), and 13-101(c)(1)
4 Annotated Code of Maryland
5 (1998 Replacement Volume and 1999 Supplement)

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

8 **Article 2B - Alcoholic Beverages**

9 6-705.

10 (a) This section applies only in Kent County.

11 (b) The annual license fee is \$100.

12 (c) The Board of License Commissioners may issue a caterer's license to a
13 holder of [a]:

14 (1) A Class B restaurant or hotel (on-sale) beer, wine and liquor license;
15 OR

16 (2) A CLASS B RESTAURANT OR HOTEL BEER AND LIGHT WINE LICENSE.

17 (d) A caterer's license issued under this section authorizes the holder to
18 provide alcoholic beverages at events that are held off the Class B restaurant or hotel
19 (on-sale) beer, wine and liquor license OR THE CLASS B RESTAURANT OR HOTEL BEER
20 AND LIGHT WINE LICENSE premises.

21 (e) The holder shall provide food as well as alcoholic beverages for
22 consumption at the catered event.

23 (f) A holder may exercise the privileges under this license only during the
24 hours and days that are permitted in this article for a Class B restaurant or hotel
25 (on-sale) beer, wine and liquor license OR A CLASS B RESTAURANT OR HOTEL BEER
26 AND LIGHT WINE LICENSE.

27 (g) This section does not require a holder of an existing Class B (on-sale) beer,
28 wine and liquor license OR AN EXISTING CLASS B RESTAURANT OR HOTEL BEER AND
29 LIGHT WINE LICENSE to have a caterer's license for catering on the premises that is
30 covered by the existing license.

31 10-208.

32 (a) (1) If a license is refused, except as provided in this section, other
33 applications may not be considered from the applicant or for the premises, as the case
34 may be, for a period of six months. If a subsequent application by the same applicant
35 or for the same premises is refused within the two-year period immediately following

1 the date of the first refusal, then other applications may not be considered from the
2 applicant or for the premises, as the case may be, until the two-year period has
3 elapsed.

4 (2) This section does not hold against:

5 (i) An applicant where a license was refused on the grounds it was
6 not necessary for the accommodation of the public or because the premises were not
7 suitable to the sale of alcoholic beverages under the license applied for; or

8 (ii) The premises set forth in an application when the license
9 applied for was refused because the applicant personally was determined not to be a
10 proper person to be issued the license applied for. In Charles County, the limitations
11 of this section are not applicable to the refusal of a license on the grounds the license
12 was not necessary for the accommodation of the public, because the premises were not
13 suitable for sales of alcoholic beverages under the license applied for, or to the refusal
14 of a license because the applicant was determined not to be a proper licensee.

15 (J) (1) IN KENT COUNTY:

16 (I) IF AN APPLICATION FOR A LICENSE IS REFUSED, THEN THE
17 BOARD MAY NOT ISSUE AN ALCOHOLIC BEVERAGES LICENSE FOR THE SAME
18 PREMISES UNTIL A CALENDAR YEAR EXPIRES FROM THE DATE OF REFUSAL; AND

19 (II) IF A SUBSEQUENT APPLICATION FOR THE SAME PREMISES IS
20 REFUSED, THEN THE BOARD MAY NOT ISSUE AN ALCOHOLIC BEVERAGES LICENSE
21 FOR THE SAME PREMISES UNTIL 2 YEARS EXPIRE FROM THE DATE OF THE SECOND
22 REFUSAL.

23 (2) THIS SUBSECTION DOES NOT APPLY TO APPLICATIONS:

24 (I) THAT ARE REJECTED BECAUSE OF A LEGAL DEFECT OR AN
25 OMISSION;

26 (II) THAT ARE REFUSED SOLELY AND EXPRESSLY BECAUSE THE
27 PRIOR APPLICANT PERSONALLY WAS DETERMINED NOT TO BE A PROPER PERSON TO
28 WHOM THE LICENSE APPLIED FOR SHOULD BE ISSUED; OR

29 (III) THAT ARE FOR LICENSE TRANSFERS.

30 11-515.

31 (a) This section applies only in Kent County.

32 (b) This section does not apply to any special or temporary license issued
33 under § 7-101 of this article.

34 (c) Any class of retail on- or off-sale alcoholic beverages license issued by the
35 Board of License Commissioners authorizes the holder to sell alcoholic beverages:

36 (1) On Monday through Friday from 6 a.m. to 2 a.m. the following day;

- 1 (2) On Saturday from 6 a.m. to 1 a.m. the following day; and
- 2 (3) On Sunday:
- 3 (i) For a Class A license, from 9 a.m. to 2 a.m. the following day;
- 4 (ii) For a Class B license, from [12 noon] 9 A.M. to 12 midnight
5 (off-sale for beer and wine only);
- 6 (iii) For a Class C license, from [11 a.m.] 9 A.M. to 12 midnight; or
- 7 (iv) For a Class D license, from 9 a.m. to 2 a.m. (off-sale for beer
8 and wine only).

9 11-515.1.

10 (a) (1) In Kent County, the Board of License Commissioners may grant a
11 special Sunday (on-sale) beer, wine and liquor license privilege.

12 (2) This license privilege may be granted only to a holder of a Class B
13 (on-sale) beer, wine and liquor license for use on the premises that qualify as a
14 restaurant under § [11-515] 6-201(P) of this article.

15 (3) This license privilege authorizes the holder to serve beer, wine and
16 liquor on the restaurant premises on Sundays from 12 noon to 12 midnight without
17 being subject to the meal and seating restrictions provided under § [11-515] 6-201(P)
18 of this article.

19 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland
20 read as follows:

21 **Article 2B - Alcoholic Beverages**

22 13-101.

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

27 ~~(3) (i) This paragraph applies only in Harford [County] AND KENT~~
28 ~~COUNTIES.~~

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

33 (2) (i) This paragraph applies only in the following jurisdictions:

34 1. Howard County; [and]

