

SENATE BILL 433

Unofficial Copy
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2000 Regular Session
0lr0808
CF 0lr1216

By: **Senators Hoffman and Conway**
Introduced and read first time: February 4, 2000
Assigned to: Economic and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Baltimore City and Baltimore County - Alcoholic Beverages - Retail**
3 **Delivery**

4 FOR the purpose of exempting certain retail licensed premises of alcoholic beverages
5 in Baltimore City and Baltimore County from certain prohibitions on retail
6 deliveries; authorizing the Board of License Commissioners of Baltimore City
7 and the Baltimore County Board of License Commissioners to proceed against
8 any person for violation of this Act; providing certain penalties; granting certain
9 investigative and enforcement powers to the Boards under certain
10 circumstances; requiring the Boards to adopt certain regulations; and generally
11 relating to exempting certain retail licensed premises of alcoholic beverages in
12 Baltimore City and Baltimore County from certain prohibitions on retail
13 deliveries.

14 BY renumbering
15 Article 2B - Alcoholic Beverages
16 Section 12-301(c) and (d), respectively
17 to be Section 12-301(d) and (e), respectively
18 Annotated Code of Maryland
19 (1998 Replacement Volume and 1999 Supplement)

20 BY adding to
21 Article 2B - Alcoholic Beverages
22 Section 12-301(c)
23 Annotated Code of Maryland
24 (1998 Replacement Volume and 1999 Supplement)

25 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
26 MARYLAND, That Section(s) 12-301(c) and (d), respectively, of Article 2B - Alcoholic
27 Beverages of the Annotated Code of Maryland be renumbered to be Section(s)
28 12-301(d) and (e), respectively.

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

1 **Article 2B - Alcoholic Beverages**

2 12-301.

3 (C) (1) THIS SUBSECTION APPLIES ONLY IN BALTIMORE CITY AND
4 BALTIMORE COUNTY.5 (2) RETAIL DELIVERY OF ANY ALCOHOLIC BEVERAGES TO A PURCHASER
6 OUTSIDE OF BALTIMORE CITY OR BALTIMORE COUNTY IS PROHIBITED UNLESS:7 (I) THE DELIVERY IS MADE FROM A RETAIL LICENSED PREMISES
8 BY THE RETAIL LICENSE HOLDER OR EMPLOYEE OF THE RETAIL LICENSE HOLDER
9 AUTHORIZED TO SELL AND DISTRIBUTE ALCOHOLIC BEVERAGES BY:10 1. THE BOARD OF LICENSE COMMISSIONERS OF BALTIMORE
11 CITY TO A PLACE OF DELIVERY IN BALTIMORE COUNTY; OR12 2. THE BALTIMORE COUNTY BOARD OF LICENSE
13 COMMISSIONERS TO A PLACE OF DELIVERY IN BALTIMORE CITY;14 (II) THE PLACE OF DELIVERY IS LOCATED WITHIN A 7-MILE RADIUS
15 FROM THE RETAIL LICENSED PREMISES; AND16 (III) THE DELIVERY IS MADE IN ACCORDANCE WITH THE
17 REGULATIONS OF:18 1. THE BOARD OF LICENSE COMMISSIONERS OF BALTIMORE
19 CITY; AND20 2. THE BALTIMORE COUNTY BOARD OF LICENSE
21 COMMISSIONERS.22 (3) THE BOARD OF LICENSE COMMISSIONERS OF BALTIMORE CITY OR
23 THE BALTIMORE COUNTY BOARD OF LICENSE COMMISSIONERS MAY IMPOSE A FINE
24 OF NOT MORE THAN \$2,500 ON OR SUSPEND THE LICENSE OF ANY PERSON OR BOTH
25 FOR VIOLATION OF THIS SUBSECTION.26 (4) (I) THE BOARD OF LICENSE COMMISSIONERS OF BALTIMORE CITY
27 MAY INVESTIGATE OR BRING AN ENFORCEMENT ACTION AGAINST A LICENSEE
28 AFTER:29 1. A COMPLAINT OR VIOLATION THAT DERIVES FROM A
30 RETAIL DELIVERY FROM A RETAIL LICENSED PREMISES AUTHORIZED TO SELL AND
31 DISTRIBUTE ALCOHOLIC BEVERAGES BY THE BOARD OF LICENSE COMMISSIONERS
32 OF BALTIMORE CITY; OR33 2. A COMPLAINT OR VIOLATION THAT DERIVES FROM A
34 RETAIL DELIVERY FROM A RETAIL LICENSED PREMISES AUTHORIZED TO SELL AND
35 DISTRIBUTE ALCOHOLIC BEVERAGES BY THE BOARD OF LICENSE COMMISSIONERS

1 OF BALTIMORE CITY IS REFERRED TO THE BOARD OF LICENSE COMMISSIONERS OF
2 BALTIMORE CITY BY THE BALTIMORE COUNTY BOARD OF LICENSE COMMISSIONERS.

3 (II) THE BOARD OF LICENSE COMMISSIONERS OF BALTIMORE
4 COUNTY MAY INVESTIGATE OR BRING AN ENFORCEMENT ACTION AGAINST A
5 LICENSEE AFTER:

6 1. A COMPLAINT OR VIOLATION THAT DERIVES FROM A
7 RETAIL DELIVERY FROM A LICENSED PREMISES AUTHORIZED TO SELL AND
8 DISTRIBUTE ALCOHOLIC BEVERAGES BY THE BOARD OF LICENSE COMMISSIONERS
9 OF BALTIMORE COUNTY; OR

10 2. A COMPLAINT OR VIOLATION THAT DERIVES FROM A
11 RETAIL LICENSED PREMISES AUTHORIZED TO SELL AND DISTRIBUTE ALCOHOLIC
12 BEVERAGES BY THE BOARD OF LICENSE COMMISSIONERS OF BALTIMORE COUNTY IS
13 REFERRED TO THE BOARD OF LICENSE COMMISSIONERS OF BALTIMORE COUNTY BY
14 THE BOARD OF LICENSE COMMISSIONERS OF BALTIMORE CITY.

15 (5) THE BOARD OF LICENSE COMMISSIONERS OF BALTIMORE CITY AND
16 THE BALTIMORE COUNTY BOARD OF LICENSE COMMISSIONERS SHALL ADOPT
17 REGULATIONS TO CARRY OUT THIS SUBSECTION.

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