
By: **Senators Harris and Roesser**

Introduced and read first time: January 26, 2001

Assigned to: Economic and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Alcoholic Beverages - Wine - Personal Consumption Import License**

3 FOR the purpose of establishing a personal consumption import license to be issued
4 by the Office of the Comptroller to certain individuals; authorizing a licensee to
5 accept delivery of certain wine; prohibiting a licensee from designating any
6 other person to accept delivery; specifying a certain license fee; requiring that an
7 applicant for a license and a licensee pay a certain tax; requiring the court to
8 impose certain penalties if an individual under a certain age is found to have
9 knowingly and willfully accepted delivery of wine under this Act; providing for
10 the beginning date of a certain suspension of a driver's license; requiring the
11 Office of the Comptroller to adopt certain regulations; providing for the
12 termination of this Act; and generally relating to a personal consumption import
13 license for certain wine.

14 BY adding to

15 Article 2B - Alcoholic Beverages

16 Section 7.5-101 to be under the new title "Title 7.5. Personal Consumption
17 Import License"

18 Annotated Code of Maryland

19 (1998 Replacement Volume and 2000 Supplement)

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

22 **Article 2B - Alcoholic Beverages**

23 **TITLE 7.5. PERSONAL CONSUMPTION IMPORT LICENSE.**

24 7.5-101.

25 (A) (1) THERE IS A PERSONAL CONSUMPTION IMPORT (PCI) LICENSE.

26 (2) THE PCI LICENSE IS TO BE ISSUED BY THE OFFICE OF THE
27 COMPTROLLER TO INDIVIDUALS WHO ARE 21 YEARS OF AGE OR OLDER
28 THROUGHOUT THE STATE IN ACCORDANCE WITH THIS SECTION.

1 (B) A PCI LICENSE ENTITLES THE LICENSEE TO RECEIVE DELIVERY OF A
2 MAXIMUM OF ONE CASE CONTAINING NOT MORE THAN 9 LITERS OF WINE PER
3 MONTH.

4 (C) A LICENSEE MAY NOT DESIGNATE ANY OTHER PERSON TO ACCEPT
5 DELIVERY OF WINE UNDER THIS SECTION.

6 (D) THE ANNUAL PCI LICENSE FEE IS \$100.

7 (E) AN APPLICANT FOR A PCI LICENSE SHALL PAY TO THE OFFICE OF THE
8 COMPTROLLER \$11.42 AS A STATE EXCISE TAX ON WINE.

9 (F) (1) IF AN INDIVIDUAL UNDER THE AGE OF 21 YEARS IS FOUND TO HAVE
10 KNOWINGLY AND WILLFULLY ACCEPTED DELIVERY OF WINE UNDER THIS SECTION,
11 THE COURT:

12 (I) SHALL REQUIRE THE INDIVIDUAL TO PERFORM 500 HOURS OF
13 COMMUNITY SERVICE; AND

14 (II) SHALL ORDER THE MOTOR VEHICLE ADMINISTRATION TO
15 BEGIN AN ACTION TO SUSPEND THE DRIVER'S LICENSE OF THE INDIVIDUAL.

16 (2) IF THE INDIVIDUAL SUBJECT TO A SUSPENSION UNDER THIS
17 SUBSECTION DOES NOT HOLD A LICENSE TO OPERATE A MOTOR VEHICLE ON THE
18 DATE OF THE DISPOSITION, THE SUSPENSION SHALL BEGIN:

19 (I) IF THE INDIVIDUAL IS AT LEAST 16 YEARS OF AGE ON THE DATE
20 OF THE DISPOSITION, ON THE DATE OF THE DISPOSITION; OR

21 (II) IF THE INDIVIDUAL IS YOUNGER THAN 16 YEARS OF AGE ON
22 THE DATE OF THE DISPOSITION, ON THE DATE THE INDIVIDUAL REACHES THE
23 INDIVIDUAL'S 16TH BIRTHDAY.

24 (G) THE OFFICE OF THE COMPTROLLER SHALL ADOPT REGULATIONS TO
25 CARRY OUT THIS SECTION.

26 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
27 October 1, 2001. It shall remain effective for a period of 2 years and, at the end of
28 September 30, 2003, with no further action required by the General Assembly, this
29 Act shall be abrogated and of no further force and effect.