
By: **Frederick County Delegation**

Introduced and read first time: February 9, 2005

Assigned to: Economic Matters

Committee Report: Favorable

House action: Adopted

Read second time: March 15, 2005

CHAPTER_____

1 AN ACT concerning

2 **Frederick County - Wine Consumption - Continuing Care Retirement**
3 **Communities**

4 FOR the purpose of allowing, under certain circumstances, residents and their guests
5 in a continuing care retirement community in Frederick County that holds a
6 Class C (on-sale) beer, wine and liquor license to consume wine not purchased
7 from the continuing care retirement community; and generally relating to
8 alcoholic beverages in Frederick County.

9 BY repealing and reenacting, without amendments,
10 Article 2B - Alcoholic Beverages
11 Section 12-107(b)(1)
12 Annotated Code of Maryland
13 (2001 Replacement Volume and 2004 Supplement)

14 BY adding to
15 Article 2B - Alcoholic Beverages
16 Section 12-107(b)(8)
17 Annotated Code of Maryland
18 (2001 Replacement Volume and 2004 Supplement)

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

1

Article 2B - Alcoholic Beverages

2 12-107.

3 (b) (1) It shall be unlawful for any person to drink on the licensed premises
4 of any license holder any alcoholic beverages not purchased from the license holder on
5 said premises and not permitted by this article to be consumed on the premises; and
6 it shall be unlawful for any license holder to permit any person to drink any alcoholic
7 beverage not purchased from the said license holder on the premises covered by the
8 license which he holds and not permitted by this article to be consumed on the
9 premises.

10 (8) THIS SUBSECTION DOES NOT PREVENT RESIDENTS AND THEIR
11 GUESTS IN A CONTINUING CARE RETIREMENT COMMUNITY IN FREDERICK COUNTY
12 THAT HOLDS A CLASS C (ON-SALE) BEER, WINE AND LIQUOR LICENSE FROM
13 CONSUMING WINE NOT PURCHASED FROM THE CONTINUING CARE RETIREMENT
14 COMMUNITY, IF:

15 (I) THE WINE IS CONSUMED WITH A MEAL IN THE DINING ROOM;
16 AND

17 (II) THE CONTINUING CARE RETIREMENT COMMUNITY:

18 1. IS OPERATED BY A NONPROFIT ORGANIZATION FOR THE
19 CONTINUING CARE RETIREMENT OF PERSONS AT LEAST 60 YEARS OLD;

20 2. HAS BEEN INCORPORATED FOR AT LEAST 1 YEAR;

21 3. HAS OBTAINED A CERTIFICATE OF REGISTRATION FROM
22 THE STATE DEPARTMENT OF AGING UNDER ARTICLE 70B, § 11 OF THE CODE; AND

23 4. PREPARES AND SERVES MEALS DURING REGULAR
24 OPERATING HOURS TO RESIDENTS AND THEIR GUESTS.

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
26 July 1, 2005.