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By: **Senators Mooney and Brinkley**

Introduced and read first time: February 10, 2005

Assigned to: Rules

Re-referred to: Education, Health, and Environmental Affairs, February 21, 2005

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Committee Report: Favorable

Senate action: Adopted

Read second time: March 19, 2005

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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:

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**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.