

Department of Legislative Services
Maryland General Assembly
2005 Session

FISCAL AND POLICY NOTE

House Bill 785
Economic Matters

(Frederick County Delegation)

Education, Health, and Environmental
Affairs

Frederick County - Wine Consumption - Continuing Care Retirement
Communities

This bill authorizes residents and their guests in a continuing care retirement community in Frederick County that holds a Class C (on-sale) beer, wine, and liquor license to consume wine not purchased from the continuing care retirement community under specified circumstances. The wine must be consumed with a meal in the dining room, and the continuing care retirement community (1) must be operated by a nonprofit organization for the continuing care of persons at least 60 years old; (2) have been incorporated for at least one year; (3) have obtained a certificate of registration from the Department of Aging; and (4) prepare and serve meals during regular operating hours to residents and their guests.

The bill takes effect July 1, 2005.

Fiscal Summary

State Effect: None.

Local Effect: Allowing residents of a continuing care retirement community in Frederick County to consume their own personal wine with meals would not affect Frederick County revenues.

Small Business Effect: None.

Analysis

Current Law: There is no explicit provision in statute that authorizes residents and their guests in a continuing care retirement community in Frederick County that holds a Class C (on-sale) beer, wine, and liquor license to consume wine not purchased from the continuing care retirement community.

Generally, with limited exceptions, it is unlawful to consume alcoholic beverages that were not purchased from the license holder on that licensee's premises, and it is unlawful for a licensee to permit any person to do so. Class C club licenses authorize various clubs, including veterans' clubs, fraternal organizations, interest groups, and athletic, social, or cultural organizations, to keep for sale and to sell alcoholic beverages for consumption on the licensed premises.

Chapter 186 of 2004 permits residents and their guests of a continuing care retirement community in Prince George's County which holds a Class C (on-sale) beer, wine, and liquor license to drink wine not purchased from the retirement community with a meal in the retirement community's dining room.

Additional Information

Prior Introductions: None.

Cross File: SB 820 (Senators Mooney and Brinkley) – Education, Health, and Environmental Affairs.

Information Source(s): Frederick County, Department of Legislative Services

Fiscal Note History: First Reader - March 3, 2005
n/ljm

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