

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 551
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “- Beer” in line 2 down through “Establishments” in line 3 and substitute “Act of 2010”; strike beginning with “creating” in line 4 down through “County;” in line 13 and substitute “prohibiting a person in Wicomico County who is under the legal drinking age for the consumption of alcohol from being on a certain premises; authorizing the Board of License Commissioners to issue a beer tasting license and a beer/wine tasting license; providing for the fees, application forms, renewal, and issuance procedures for the licenses; limiting the amount of wine and beer that may be served at events for which a license is issued; altering the number of days during which certain events may be held; requiring a license holder to provide certain notice to the Board of an event; placing certain restrictions on the length of events; providing for the use and disposal of opened bottles and containers; authorizing the Board to adopt certain regulations; altering the location for which a pub-brewery license or a micro-brewery license may be issued; allowing an individual of a certain age to be employed under certain conditions at a licensed premises for certain purposes; clarifying that the Comptroller is the issuer of a certain license; defining a certain term;”; after line 14, insert:

“BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages

Section 6-101(x), 6-401(x)(6), 8-412, and 12-104(e)(5)

Annotated Code of Maryland

(2005 Replacement Volume and 2009 Supplement)”;

in line 17, strike “6-101(a)(1) and (x)(1),”; in the same line, strike “, and 12-302(a)” and substitute “and (5)”; and strike in their entirety lines 20 through 23, inclusive.

(Over)

On page 2, strike line 1 in its entirety.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 11 through 16, inclusive; after line 17, insert:

“(2) The maximum number of licenses is three.

(3) Any license issued under the provisions of this section shall be issued only to existing establishments that already have a Class B beer, wine and liquor (restaurant) license and have been continually operating as a restaurant in the county for 3 months prior to the application for this license.

(4) Any license issued under the provisions of this section shall apply only to the area described in the application and that area may not exceed 20 percent of the area normally used in the operation of the restaurant business. This area must be contiguous to and adjoin the restaurant establishment.”;

strike beginning with “[\$2,200” in line 18 down through “\$4,400” in line 22 and substitute “**\$4,400**”; after line 22, insert:

“(ii) This fee shall be paid in addition to the fee paid for the Class B (restaurant) license.

(6) All alcoholic beverages other than beer and light wine shall be purchased from the Liquor Control Board for Wicomico County and the licensee shall be charged not more than 15 percent above the wholesale operating cost to the dispensary.”;

after line 29, insert:

“(5) Alcoholic beverages sold under the provisions of this section shall be consumed on the premises only.”;

in line 31, strike the first bracket; in the same line, strike “beer” and substitute “[beer”]; in the same line, after “wine]” insert “ALCOHOL”; in the same line, strike “this” and substitute “THE”; and after line 32, insert:

“(A) IN THIS SECTION, “LICENSE” MEANS A BEER TASTING (BT) LICENSE, A WINE TASTING (WT) LICENSE, OR A BEER/WINE TASTING (BWT) LICENSE.”.

On page 3, in lines 1, 2, 12, 16, and 25, strike “(a)”, “(b)”, “(c)”, “(d)”, and “(e)”, respectively, and substitute “(B)”, “(C)”, “(D)”, “(E)”, and “(F)”, respectively; in line 2, strike the brackets; in line 3, strike “A BEER” and substitute “BEER”; in line 5, strike “A wine” and substitute “WINE”; in line 7, strike “A BEER/WINE” and substitute “BEER/WINE”; in line 9, strike “BT, WT, OR BWT”; in line 10, strike “TO A HOLDER OF”; in line 12, strike “license”; in lines 13, 14, and 15, strike “(I)”, “(II)”, and “(III)”, respectively, and substitute “(1)”, “(2)”, and “(3)”, respectively; in line 16, strike beginning with the first “a” through “license” and substitute “a license”; in line 18, strike beginning with “the” through “license” and substitute “the license”; in line 19, after “OR” insert “THE”; in line 23, strike beginning with “a” through “license” and substitute “a license”; and strike beginning with “BT,” in line 21 down through “BWT” in line 22.

AMENDMENT NO. 3

On pages 3 and 4, strike beginning with “FOR” in line 26 on page 3 down through “event” in line 4 on page 4 and substitute “AN INDIVIDUAL MAY BE SERVED, FOR SAMPLING OR TASTING PURPOSES, NOT MORE THAN:

(I) 1 OUNCE OF WINE FROM EACH BRAND; OR

(Over)

(II) 3 OUNCES OF BEER FROM EACH BRAND.

(2) A MAXIMUM OF:

(I) SIX BOTTLES OF WINE MAY BE OPEN AT ANY ONE TIME AT A WINE OR BEER AND WINE SAMPLING OR TASTING EVENT; OR

(II) SIX CONTAINERS OF BEER MAY BE OPEN AT ANY ONE TIME AT A BEER OR BEER AND WINE SAMPLING OR TASTING EVENT”.

On page 4, in line 5, after “which” insert “**BEER, WINE, OR**”; in the same line, strike “**OR**” and substitute “**AND**”; in line 6, strike “15” and substitute “**20**”; strike beginning with “**BT**,” in line 6 down through “**BWT**” in line 7; in line 8, strike beginning with “A” through “license” and substitute “**A license**”; in lines 9 and 11, in each instance, after “a” insert “**BEER, WINE, OR**”; in line 9, strike “**OR**” and substitute “**AND**”; in line 11, strike the second “**OR**” and substitute “**AND**”; in lines 11, 14, and 15, in each instance, strike “**CONTAINER OR**”; in the same lines, in each instance, after “bottle” insert “**OR CONTAINER**”; in line 15, strike “**CONTAINERS AND**”; in the same line, after “bottles” insert “**AND CONTAINERS**”; in line 17, strike beginning with “**BT**” through “**BWT**”; in lines 17 and 20, strike “(f)” and “(G)”, respectively, and substitute “**(G)**” and “**(H)**”, respectively; in line 18, strike “**BEER OR WINE**” and substitute “**BEER, WINE, OR BEER AND WINE**”; and after line 21, insert:

“12-104.

(e) (5) (i) This paragraph applies only in Wicomico County.

(ii) Subject to subparagraphs (iii) and (iv) of this paragraph, [the Board of License Commissioners] THE COMPTROLLER may issue one Class 6

pub-brewery license or one Class 7 micro-brewery license, but not both, to a person that holds not more than three Class B beer, wine and liquor licenses.

(iii) [A] ONE Class 6 pub-brewery license or [a] ONE Class 7 micro-brewery license issued under subparagraph (ii) of this paragraph BUT NOT BOTH may be issued only for a location in an enterprise zone [in the City of Salisbury].

(iv) A holder of a Class 7 micro-brewery license issued under subparagraph (ii) of this paragraph may sell beer for off-premises consumption only to a wholesaler licensed under this article.”.

On pages 4 and 5, strike in their entirety the lines beginning with line 23 on page 4 through line 2 on page 5, inclusive.

On page 5, in line 5, strike “**COUNTY**” and substitute “**COUNTY,**”; and in the same line, strike “**A PERSON**” and substitute “**AN INDIVIDUAL**”.