(0lr 2320)

ENROLLED BILL

- Economic Matters/Education, Health, and Environmental Affairs - Introduced by Wicomico County Delegation

Read and Examined by Proofreaders:

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Sealed with the Great Sea	l and presented to the Governor, for his approval thi
day of	at o'clock,N
	Speaker
	CHAPTER
AN ACT concerning	
Wicomico County – Alcoh	olic Beverages – Beer Tasting – Workers in Licensed Establishments <u>Act of 2010</u>
beer/wine tasting (BW	g in Wicomico County a beer tasting (BT) license and (T) license; specifying to whom the licenses may be issued fees, applications, renewals, and issuance procedures
setting certain maxim	um limits on the amounts of individual servings and operations of the serving of
	requirements on certain beer or wine events; authorizin Commissioners to adopt certain regulations; authorizing
person of a certain ag	e who has a valid work permit to be employed for certai
purposes at premises	that are licensed to sell alcoholic beverages in Wicomic
County; prohibiting	a person in Wicomico County who is under the lego
0 0 ,	consumption of alcohol from being on a certain premises
<u>authorizing the Board</u>	<u>d of License Commissioners to issue a beer tasting licens</u>

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

 $\underline{Underlining}\ indicates\ amendments\ to\ bill.$

Strike out indicates matter stricken from the bill by amendment or deleted from the law by amendment.

Italics indicate opposite chamber/conference committee amendments



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1	and a beer/wine tasting license; providing for the fees, application forms,
2	renewal, and issuance procedures for the licenses; limiting the amount of wine
3	and beer that may be served at events for which a license is issued; altering the
4	number of days during which certain events may be held; requiring a license
5	holder to provide certain notice to the Board of an event; placing certain
6	restrictions on the length of events; providing for the use and disposal of opened
7	bottles and containers; authorizing the Board to adopt certain regulations;
8	altering the location for which a pub-brewery license or a micro-brewery license
9	may be issued; allowing an individual of a certain age to be employed under
10	certain conditions at a licensed premises for certain purposes; repealing a certain
11	restriction applicable to the holder of a microbrewery license regarding the sale
12	of beer for off-sale premises consumption; clarifying that the Comptroller is the
13	issuer of a certain license; defining a certain term; making certain stylistic
14	changes; and generally relating to alcoholic beverages in Wicomico County.
15	BY repealing and reenacting, with amendments,
16	<u>Article 2B – Alcoholic Beverages</u>
17	<u>Section 6–101(x), 6–401(x)(6), 8–412, and 12–104(e)(5)</u>
18	<u>Annotated Code of Maryland</u>
19	(2005 Replacement Volume and 2009 Supplement)
20	BY repealing and reenacting, without amendments,
21	Article 2B – Alcoholic Beverages
22	Section 6–101(a)(1) and (x)(1), 6–401(a)(1) and (x)(1) , and 12–302(a) <u>and (5)</u>
23	Annotated Code of Maryland
24	(2005 Replacement Volume and 2009 Supplement)
25	BY repealing and reenacting, with amendments,
26	Article 2B – Alcoholic Beverages
27	Section 6–101(x)(5)(i), 6–401(x)(6), and 8–412
28	Annotated Code of Maryland
29	(2005 Replacement Volume and 2009 Supplement)
30	BY adding to
31	Article 2B – Alcoholic Beverages
32	Section 12–302(b)(13)
33	Annotated Code of Maryland
34	(2005 Replacement Volume and 2009 Supplement)
35	SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
36	MARYLAND, That the Laws of Maryland read as follows:
37	Article 2B – Alcoholic Beverages
38	6–101.

 license issuing authority of the county in which the place of business is located. The license authorizes the holder to keep for sale and to sell all alcoholic beverages at retail, in any quantity, at the place described in the license. The license shall deliver the alcoholic beverages in a scaled package or containor and the package or containor may not be opened nor its contents consumed on the premises where sold. (x) (1) This subsection applies only in Wicomico County. (a) 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. (f) Any license issued under the provisions of this section shall apply only to the area described in the opprication and that area may not exceed 20 percent of the area normally used in the opprication of the restaurant business. This area must be contiguous to and adjoin the restaurant establishment. (f) (i) [1.] The annual license fee is [\$2,200. 2. During calendar year 1998 and thereafter, the annual license fee is \$3,300. 3. During calendar year 1998 and thereafter, the annual license fee is [\$2,200. (f) All alcoholic beverages other than beer and light wine shall be purchased from the Liquar Control Board for Wicomico County and the license shall be purchased not more than 15 percent above the wholesale operating cost to the dispersary. (a) (1) A Class D beer, wine and liquor license shall be issued by the license issuing authority of the county in which the place of business is located. It authorizes the holder to keep for sale and sell all alcoholic beverages at retail at the endired regiment on the dispersary. 	1	(a)	(1)	A Cl	ass A	beer, wine and liquor license shall be issued by the
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 <u>be charged not more than 15 percent above the wholesale operating cost to the</u> <u>dispensary.</u> 6-401. (a) (1) A Class D beer, wine and liquor license shall be issued by the license issuing authority of the county in which the place of business is located. It authorizes the holder to keep for sale and sell all alcoholic beverages at retail at the 		purchased				
 27 <u>dispensary.</u> 28 6-401. 29 (a) (1) A Class D beer, wine and liquor license shall be issued by the license issuing authority of the county in which the place of business is located. It authorizes the holder to keep for sale and sell all alcoholic beverages at retail at the 						
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30 license issuing authority of the county in which the place of business is located. It 31 authorizes the holder to keep for sale and sell all alcoholic beverages at retail at the	28	6-401.				
30 license issuing authority of the county in which the place of business is located. It 31 authorizes the holder to keep for sale and sell all alcoholic beverages at retail at the	29	(2)	(1)	A Cl	ass D	heer wine and liquor license shall be issued by the
31 authorizes the holder to keep for sale and sell all alcoholic beverages at retail at the		· · ·	~ /			· · ·
-			0			
-52 Diace described in it. for consumption on the premises or eisewhere. A license may not	32				-	mption on the premises or elsewhere. A license may not

33 be issued for any drugstore.

34 (x) (1) This subsection applies only in Wicomico County.

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1 2	<u>(5)</u> consumed on the p		<u>beverages sold under the provisions of this section shall be</u> <u>ly.</u>
$egin{array}{c} 3 \\ 4 \\ 5 \end{array}$	(6) DRINKING age [f <u>THE</u> State.	=	may not be on the premises who is under the legal sumption of beer [beer and light wine] <u>ALCOHOL</u> in this
6	8-412.		
7 8			ON, "LICENSE" MEANS A BEER TASTING (BT) LICENSE, ENSE, OR A BEER/WINE TASTING (BWT) LICENSE.
9	(a) <u>(B)</u>	This secti	on applies only in Wicomico County.
10	(b) <u>(C)</u> (1)	The Boar	d of License Commissioners may issue { a }:
$\begin{array}{c} 11 \\ 12 \end{array}$	TASTING AND SA		-beer <u>Beer</u> tasting (BT) license for beer
13 14	sampling; AND	(II) A	wine \underline{WINE} tasting (WT) license for wine tasting and
$\begin{array}{c} 15\\ 16\end{array}$	BEER OR WINE TA		beer/wine <u>Beer/wine</u> tasting (BWT) license for id sampling.
17 18 19	(2) Class A beer and WINE AND LIQUO	wine (off-	T , OR BWT license may be issued only to a holder of a -sale) license OR TO A HOLDER OF A CLASS A BEER, ALE) LICENSE.
20	(c) <u>(D)</u>	The annu	al [WT] license fee is [\$150]:
21		(1) <u>(1</u>)	For A BT license, \$150;
22		(II) <u>(2</u>	For A WT LICENSE, \$150; AND
23		(III) <u>(3</u>	FOR A BWT LICENSE, \$250.
$\begin{array}{c} 24 \\ 25 \end{array}$	(d) <u>(E)</u> shall be made on a		application for a BT, WT, OR BWT license <u>a license</u> the Board of License Commissioners provides.
26 27 28		the Class A	al of the BT, WT, OR BWT license <u>the license</u> may be beer and wine (off–sale) license OR <u>THE</u> CLASS A BEER, ALE) LICENSE is renewed.

The Board of License Commissioners may grant a **BT.** WT. OR 1 (3) $\mathbf{2}$ **BWT** license without a hearing. If application for a **BT**, WT, **OR BWT** license a license is denied, 3 (4)the applicant may request a public hearing before the Board of License 4 Commissioners. $\mathbf{5}$ 6 [A WT license holder may not serve to any person for sampling or (e) (F) (1) tasting purposes more than 1 ounce from each brand] FOR SAMPLING OR TASTING 78 **PURPOSES, A PERSON MAY NOT BE SERVED MORE THAN:** 9 (1) **3 OUNCES FROM EACH BRAND OF BEER; OR** 10 (III) **1 OUNCE FROM EACH BRAND OF WINE.** 11 (2)(₽) A MAXIMUM OF SIX CONTAINERS OF BEER MAY BE OPEN 12AT ANY ONE TIME AT A BEER SAMPLING OR TASTING EVENT. 13A maximum of six bottles OF WINE may be open at any one (II) time at a wine sampling or tasting event AN INDIVIDUAL MAY BE SERVED, FOR 14SAMPLING OR TASTING PURPOSES, NOT MORE THAN: 1516 *(I)* 1 OUNCE OF WINE FROM EACH BRAND; OR 17*(II)* **3** OUNCES OF BEER FROM EACH BRAND. (2) 18A MAXIMUM OF: 19(I)SIX BOTTLES OF WINE MAY BE OPEN AT ANY ONE TIME 20AT A WINE OR BEER AND WINE SAMPLING OR TASTING EVENT; OR 21*(II)* SIX CONTAINERS OF BEER MAY BE OPEN AT ANY ONE 22TIME AT A BEER OR BEER AND WINE SAMPLING OR TASTING EVENT. 23(3)The total number of days during which *BEER*, *WINE*, *OR* BEER OR AND wine sampling or tasting events are held may not exceed $\frac{15}{15} 20$ in any period for 24which a **BT, WT, OR BWT** license is in effect. 2526A BT, WT, OR BWT license A license holder shall notify the Board (4)27of License Commissioners in writing at least 5 days before a BEER, WINE, OR BEER 28**OR** AND wine sampling or tasting event.

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$egin{array}{c} 1 \\ 2 \\ 3 \end{array}$	(5) Once opened, each CONTAINER OR bottle OR CONTAINER used for a BEER, WINE, OR BEER OR AND wine sampling or tasting event shall be marked that it is to be used for that purpose only.
4	(6) The contents of each CONTAINER OR bottle OR CONTAINER may
5	not be mixed with any other CONTAINER OR bottle OR CONTAINER , and all
6	CONTAINERS AND bottles AND CONTAINERS shall be destroyed once they are empty.
0	contrained find bottles <u>AND CONTRAINENS</u> shall be destroyed once they are empty.
7	(f) (1) A BT, WT, OR BWT license is for on–premises consumption only.
8	(2) [Wine] BEER OR WINE BEER, WINE, OR BEER AND WINE
9	sampling or tasting may not be conducted from a drive-through window.
10	(G) (H) THE BOARD OF LICENSE COMMISSIONERS MAY ADOPT
11	REGULATIONS TO CARRY OUT THIS SECTION.
12	<u>12–104.</u>
13	(e) (5) (i) This paragraph applies only in Wicomico County.
14	(ii) Subject to subparagraphs (iii) and (iv) of this paragraph,
15	[the Board of License Commissioners] THE COMPTROLLER may issue one Class 6
16	pub-brewery license or one Class 7 micro-brewery license, but not both, to a person that
17	holds not more than three Class B beer, wine and liquor licenses.
18	(iii) { A } ONE Class 6 pub-brewery license or { a } ONE Class 7
19	micro-brewery license issued under subparagraph (ii) of this paragraph BUT NOT
20	BOTH may be issued only for a location in an enterprise zone [in the City of Salisbury].
21	(iv) <u>A holder of a Class 7 micro-brewery license issued under</u>
22	subparagraph (ii) of this paragraph may sell beer for off-premises consumption only to
23	a wholesaler licensed under this article.
24	12–302.
១៩	(a) Unloss provision is made also where the following provisions apply
25 90	(a) Unless provision is made elsewhere, the following provisions apply
26	statewide to persons who are employed in licensed establishments:
27	(1) A person under age 18 may not be engaged in the sale of alcoholic
28	beverages.
29	(2) Except for Class D beer, wine and liquor licensees as provided in
30	paragraph (3) of this subsection, a person between ages 18 and 21 may be employed in
31	the sale of beer and light wine.

1 (3) A person under age 21 may not be employed by any holder of a 2 Class D beer, wine and liquor license in the sale of alcoholic beverages.

3 (4) A person 18 years old and older may be employed by a Class A 4 licensee to operate a lottery ticket terminal.

5 (b) In the following jurisdictions the specified exceptions to subsection (a) of 6 this section apply:

7 (13) IN WICOMICO COUNTY COUNTY, A PERSON AN INDIVIDUAL
8 WHO IS AT LEAST 16 YEARS OLD AND HAS A WORK PERMIT MAY BE EMPLOYED
9 AT A LICENSED PREMISES TO STOCK ALCOHOLIC BEVERAGES OR CLEAR TABLES
10 AND BAR AREAS.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effectJuly 1, 2010.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.