

HOUSE BILL 551

A2

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By: **Wicomico County Delegation**

Introduced and read first time: February 2, 2010

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Wicomico County – Alcoholic Beverages – Beer Tasting – Workers in Licensed**
3 **Establishments**

4 FOR the purpose of creating in Wicomico County a beer tasting (BT) license and a
5 beer/wine tasting (BWT) license; specifying to whom the licenses may be issued;
6 providing for license fees, applications, renewals, and issuance procedures;
7 setting certain maximum limits on the amounts of individual servings and open
8 containers and bottles of beer and wine at certain events; specifying certain
9 restrictions and notice requirements on certain beer or wine events; authorizing
10 the Board of License Commissioners to adopt certain regulations; authorizing a
11 person of a certain age who has a valid work permit to be employed for certain
12 purposes at premises that are licensed to sell alcoholic beverages in Wicomico
13 County; making certain stylistic changes; and generally relating to alcoholic
14 beverages in Wicomico County.

15 BY repealing and reenacting, without amendments,
16 Article 2B – Alcoholic Beverages
17 Section 6–101(a)(1) and (x)(1), 6–401(a)(1) and (x)(1), and 12–302(a)
18 Annotated Code of Maryland
19 (2005 Replacement Volume and 2009 Supplement)

20 BY repealing and reenacting, with amendments,
21 Article 2B – Alcoholic Beverages
22 Section 6–101(x)(5)(i), 6–401(x)(6), and 8–412
23 Annotated Code of Maryland
24 (2005 Replacement Volume and 2009 Supplement)

25 BY adding to
26 Article 2B – Alcoholic Beverages
27 Section 12–302(b)(13)
28 Annotated Code of Maryland

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(2005 Replacement Volume and 2009 Supplement)

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

Article 2B – Alcoholic Beverages

6–101.

(a) (1) A Class A beer, wine and liquor license shall be issued by the 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 licensee shall deliver the alcoholic beverages in a sealed package or container and the package or container may not be opened nor its contents consumed on the premises where sold.

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

(5) (i) [1.] The annual license fee is [\$2,200.

2. During calendar year 1997, the annual license fee is \$3,300.

3. During calendar year 1998 and thereafter, the annual license fee is] \$4,400.

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 place described in it, for consumption on the premises or elsewhere. A license may not be issued for any drugstore.

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

(6) A person may not be on the premises who is under the legal **DRINKING** age [for the consumption of beer and light wine] in this State.

8–412.

(a) This section applies only in Wicomico County.

(b) (1) The Board of License Commissioners may issue [a]:

(I) A BEER TASTING (BT) LICENSE FOR BEER TASTING AND SAMPLING;

1 (II) A wine tasting (WT) license for wine tasting and sampling;
2 AND

3 (III) A BEER/WINE TASTING (BWT) LICENSE FOR BEER OR
4 WINE TASTING AND SAMPLING.

5 (2) A **BT, WT, OR BWT** license may be issued only to a holder of a
6 Class A beer and wine (off-sale) license **OR TO A HOLDER OF A CLASS A BEER,**
7 **WINE AND LIQUOR (OFF-SALE) LICENSE.**

8 (c) The annual [WT] license fee is [\$150]:

9 (I) FOR A **BT** LICENSE, **\$150;**

10 (II) FOR A **WT** LICENSE, **\$150; AND**

11 (III) FOR A **BWT** LICENSE, **\$250.**

12 (d) (1) An application for a **BT, WT, OR BWT** license shall be made on a
13 form that the Board of License Commissioners provides.

14 (2) A renewal of the **BT, WT, OR BWT** license may be made at the
15 time the Class A beer and wine (off-sale) license **OR CLASS A BEER, WINE AND**
16 **LIQUOR (OFF-SALE) LICENSE** is renewed.

17 (3) The Board of License Commissioners may grant a **BT, WT, OR**
18 **BWT** license without a hearing.

19 (4) If application for a **BT, WT, OR BWT** license is denied, the
20 applicant may request a public hearing before the Board of License Commissioners.

21 (e) (1) [A WT license holder may not serve to any person for sampling or
22 tasting purposes more than 1 ounce from each brand] **FOR SAMPLING OR TASTING**
23 **PURPOSES, A PERSON MAY NOT BE SERVED MORE THAN:**

24 (I) 3 OUNCES FROM EACH BRAND OF BEER; OR

25 (II) 1 OUNCE FROM EACH BRAND OF WINE.

26 (2) (I) A MAXIMUM OF SIX CONTAINERS OF BEER MAY BE OPEN
27 AT ANY ONE TIME AT A BEER SAMPLING OR TASTING EVENT.

28 (II) A maximum of six bottles OF WINE may be open at any one
29 time at a wine sampling or tasting event.

1 (3) The total number of days during which **BEER OR** wine sampling or
2 tasting events are held may not exceed 15 in any period for which a **BT, WT, OR**
3 **BWT** license is in effect.

4 (4) A **BT, WT, OR BWT** license holder shall notify the Board of
5 License Commissioners in writing at least 5 days before a **BEER OR** wine sampling or
6 tasting event.

7 (5) Once opened, each **CONTAINER OR** bottle used for a **BEER OR**
8 wine sampling or tasting event shall be marked that it is to be used for that purpose
9 only.

10 (6) The contents of each **CONTAINER OR** bottle may not be mixed with
11 any other **CONTAINER OR** bottle, and all **CONTAINERS AND** bottles shall be destroyed
12 once they are empty.

13 (f) (1) A **BT, WT, OR BWT** license is for on-premises consumption only.

14 (2) [Wine] **BEER OR WINE** sampling or tasting may not be conducted
15 from a drive-through window.

16 **(G) THE BOARD OF LICENSE COMMISSIONERS MAY ADOPT**
17 **REGULATIONS TO CARRY OUT THIS SECTION.**

18 12-302.

19 (a) Unless provision is made elsewhere, the following provisions apply
20 statewide to persons who are employed in licensed establishments:

21 (1) A person under age 18 may not be engaged in the sale of alcoholic
22 beverages.

23 (2) Except for Class D beer, wine and liquor licensees as provided in
24 paragraph (3) of this subsection, a person between ages 18 and 21 may be employed in
25 the sale of beer and light wine.

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

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

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

1 **(13) IN WICOMICO COUNTY A PERSON WHO IS AT LEAST 16 YEARS**
2 **OLD AND HAS A WORK PERMIT MAY BE EMPLOYED AT A LICENSED PREMISES TO**
3 **STOCK ALCOHOLIC BEVERAGES OR CLEAR TABLES AND BAR AREAS.**

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
5 July 1, 2010.