

HB1047/113691/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 1047
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after “authorizing” insert “the Board of License Commissioners for Howard County to issue a refillable container permit to a holder of a Class B special beer and wine license under certain circumstances; authorizing”; strike beginning with “in” in line 4 down through “County” in line 5; in line 7, strike “alcohol” and substitute “an alcoholic beverage”; in the same line, after “premises;” insert “requiring a refillable container to meet certain requirements; specifying the term of and hours of sale for the permit; requiring that a holder of the permit may refill only a refillable container that was branded by the permit holder;”; after line 13, insert:

“BY adding to

Article 2B – Alcoholic Beverages

Section 7-101(p-1)(11)

Annotated Code of Maryland

(2011 Replacement Volume)”;

and in line 16, strike “7-101(p-1)(7)(i)” and substitute “7-101(p-1)(11)”.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 3 through 7, inclusive, and substitute:

“(11) (I) THE BOARD OF LICENSE COMMISSIONERS MAY ISSUE A REFILLABLE CONTAINER PERMIT TO A HOLDER OF A B-SBW LICENSE:

1. ON COMPLETION OF AN APPLICATION FORM THAT THE BOARD PROVIDES; AND

(Over)

2. AT NO COST TO THE B-SBW LICENSE HOLDER.

(II) A REFILLABLE CONTAINER PERMIT ENTITLES THE HOLDER TO SELL DRAFT BEER FOR CONSUMPTION OFF THE LICENSED PREMISES:

1. IN A REFILLABLE CONTAINER WITH A CAPACITY OF NOT LESS THAN 32 OUNCES AND NOT MORE THAN 128 OUNCES; AND

2. TO AN INDIVIDUAL WHO HAS PURCHASED FOOD OR AN ALCOHOLIC BEVERAGE FROM THE LICENSED PREMISES.

(III) TO BE USED AS A REFILLABLE CONTAINER UNDER SUBPARAGRAPH (II) OF THIS PARAGRAPH, A CONTAINER SHALL:

1. BE SEALABLE;

2. BE BRANDED WITH AN IDENTIFYING MARK OF THE LICENSE HOLDER;

3. BEAR THE FEDERAL HEALTH WARNING STATEMENT REQUIRED FOR CONTAINERS OF ALCOHOLIC BEVERAGES UNDER 27 C.F.R. 16.21;

4. DISPLAY INSTRUCTIONS FOR CLEANING THE CONTAINER; AND

5. BEAR A LABEL STATING THAT:

A. CLEANING THE CONTAINER IS THE RESPONSIBILITY OF THE CONSUMER; AND

B. CONTENTS OF THE CONTAINER ARE PERISHABLE AND SHOULD BE REFRIGERATED IMMEDIATELY AND CONSUMED WITHIN 48 HOURS AFTER PURCHASE.

(IV) THE TERM OF A REFILLABLE CONTAINER PERMIT ISSUED TO AN APPLICANT IS THE SAME AS THAT OF THE APPLICANT'S B-SBW LICENSE.

(V) THE HOURS OF SALE FOR A REFILLABLE CONTAINER PERMIT ARE THE SAME AS THOSE FOR A B-SBW LICENSE.

(VI) A HOLDER OF A REFILLABLE CONTAINER PERMIT MAY REFILL ONLY A REFILLABLE CONTAINER THAT WAS BRANDED BY THE PERMIT HOLDER.

[(11)](12) The Board of License Commissioners may adopt regulations to carry out this subsection, including a limit on the number of licenses to be issued.”.