A1 3lr0803 CF 3lr1176

By: Delegate Feldman

Introduced and read first time: January 11, 2013

Assigned to: Economic Matters

A BILL ENTITLED

- 1 AN ACT concerning
- 2 Alcoholic Beverages Consumption of Wine Not Bought from License Holder
- 3 FOR the purpose of expanding the application of a certain provision of law to allow an
- 4 individual in a restaurant, club, or hotel for which any license allowing the sale
- of wine is issued to consume wine not purchased from or provided by the license
- 6 holder only under certain circumstances, including a requirement that the
- 7 license holder obtain a certain corkage permit; requiring each local licensing
- 8 board to issue a corkage permit at no charge; clarifying language; and generally
- 9 relating to the consumption of wine in Montgomery County.
- 10 BY repealing and reenacting, with amendments,
- 11 Article 2B Alcoholic Beverages
- 12 Section 12–107(b)(10)
- 13 Annotated Code of Maryland
- 14 (2011 Replacement Volume and 2012 Supplement)
- 15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
- 16 MARYLAND, That the Laws of Maryland read as follows:
- 17 Article 2B Alcoholic Beverages
- 18 12–107.
- 19 (b) (10) (i) An individual in a restaurant, club, or hotel for which [a
- 20 Class B or Class Cl ANY license allowing the sale of wine is issued may consume wine
- 21 not purchased from or provided by the license holder only if:
- 22 1. The wine is consumed with a meal during the hours of
- 23 sale specified by the license;

1 2	holder;	2.	The	e individual receives the approval of the license
3 4	holder's wine list; and	3.	The	e wine is not available for sale on the license
5 6 7	the local licensing board not purchased from or pr		allow	e license holder obtains a CORKAGE permit from wing an individual the privilege of consuming wine he license holder.
8 9 10	-	ch lice	nse h	H local licensing board shall issue a CORKAGE nolder who seeks to allow an individual to consume in subparagraph (i) of this paragraph.
11 12 13	(iii) A license holder that allows an individual the privilege of consuming wine described under subparagraph (i) of this paragraph may determine and charge the individual a fee for the privilege, on which a sales tax shall be imposed.			
14 15 16	(iv) the license holder shall paragraph that remains a	dispo	se of	provided in subparagraph (v) of this paragraph, f wine described under subparagraph (i) of this eal is finished.
17 18 19 20	•	nts of v	vhich	idual may remove from the licensed premises a n are only partially consumed with the meal, if the e license holder inserts a cork in or places a cap on
21 22 23	(vi) A bottle of wine that is removed from the licensed premises under subparagraph (v) of this paragraph is an "open container" for purposes of § 10–125 of the Criminal Law Article.			
24 25 26	(vii) A license holder may not allow an individual who is under 21 years old or who is visibly under the influence of an alcoholic beverage the privilege of consuming wine described under subparagraph (i) of this paragraph.			
27 28	SECTION 2. AND July 1, 2013.	ВЕ ІТ	FUR	RTHER ENACTED, That this Act shall take effect