

HOUSE BILL 455

A2

3lr0987

By: **Howard County Delegation**

Introduced and read first time: January 28, 2013

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Howard County – Alcoholic Beverages – Refillable Wine Containers**

3 **Ho. Co. 15–13**

4 FOR the purpose of expanding a certain application of law in Howard County to allow
5 certain license holders to sell wine in refillable containers of a certain capacity
6 off the licensed premises; authorizing the Board of License Commissioners to
7 issue a refillable wine container permit; making certain requirements relating
8 to refillable containers, advertising, posting of notice, public hearings, hours of
9 sale, and the refilling of containers applicable to refillable wine containers and
10 holders of refillable wine container permits issued under this Act; making a
11 technical correction; and generally relating to alcoholic beverages in Howard
12 County.

13 BY repealing and reenacting, without amendments,
14 Article 2B – Alcoholic Beverages
15 Section 7–101(p–1)(1)
16 Annotated Code of Maryland
17 (2011 Replacement Volume and 2012 Supplement)

18 BY repealing and reenacting, with amendments,
19 Article 2B – Alcoholic Beverages
20 Section 7–101(p–1)(11)
21 Annotated Code of Maryland
22 (2011 Replacement Volume and 2012 Supplement)

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

25 **Article 2B – Alcoholic Beverages**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 7-101.

2 (p-1) (1) This subsection applies only in Howard County.

3 (11) (i) The Board of License Commissioners may issue a refillable
4 container permit to a holder of any class of alcoholic beverages license issued by the
5 Board of License Commissioners except a Class C license and a Class GC license:

6 1. On completion of an application form that the Board
7 provides; and

8 2. At no cost to the [B-SBW] license holder.

9 (ii) A refillable container permit entitles the holder to sell
10 [draft]:

11 1. **DRAFT** beer for consumption off the licensed
12 premises in a refillable container with a capacity of not less than 32 ounces and not
13 more than 128 ounces; **AND**

14 2. **IF THE HOLDER IS LICENSED TO SELL WINE, WINE**
15 **FOR CONSUMPTION OFF THE LICENSED PREMISES IN A REFILLABLE CONTAINER**
16 **WITH A CAPACITY OF NOT LESS THAN 32 OUNCES AND NOT MORE THAN 128**
17 **OUNCES.**

18 (iii) To be used as a refillable container under subparagraph (ii)
19 of this paragraph, a container shall:

20 1. Be sealable;

21 2. Be branded with an identifying mark of the license
22 holder;

23 3. Bear the federal health warning statement required
24 for containers of alcoholic beverages under 27 C.F.R. 16.21;

25 4. Display instructions for cleaning the container; and

26 5. Bear a label stating [that]:

27 A. [Cleaning] **THAT CLEANING** the container is the
28 responsibility of the consumer; and

29 B. [Contents of the container] **IF THE CONTAINER**
30 **CONTAINS BEER, THAT THE CONTENTS** are perishable and should be refrigerated
31 immediately and consumed within 48 hours after purchase.

1 (iv) The term of and hours of sale for a refillable container
2 permit issued to an applicant are the same as that of the applicant's alcoholic
3 beverages license.

4 (v) An applicant who holds an alcoholic beverages license
5 without an off-sale privilege shall meet the same advertising, posting of notice, and
6 public hearing requirements as those for the alcoholic beverages license that the
7 applicant holds.

8 (vi) A holder of a refillable container permit may refill only a
9 refillable container that was branded by the permit holder.

10 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
11 July 1, 2013.