

HOUSE BILL 1003

A2

3lr2965

By: **Delegate Kipke**

Introduced and read first time: February 8, 2013

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Anne Arundel County – Alcoholic Beverages – Retail Establishment License**

3 FOR the purpose of authorizing the Board of License Commissioners of Anne Arundel
4 County to issue a retail establishment license to the owner of a licensed retail
5 establishment; specifying that a retail establishment license under this Act
6 authorizes the holder to provide without charge beer, wine, and liquor for
7 consumption on the premises of the retail establishment; requiring the Board to
8 determine the quantity of beer, wine, and liquor that may be served to any one
9 person per day; establishing the amount of a certain fee; requiring a certain fee
10 to be paid on or before a certain date; establishing certain hours for the sale and
11 consumption of alcoholic beverages under a certain license; specifying that the
12 provisions of a certain law relating to alcohol awareness programs apply to the
13 holder of a retail establishment license; altering a certain definition; defining a
14 certain term; and generally relating to the issuance of a retail establishment
15 license in Anne Arundel County.

16 BY repealing and reenacting, without amendments,
17 Article 2B – Alcoholic Beverages
18 Section 8–202(a) and 13–101(a)
19 Annotated Code of Maryland
20 (2011 Replacement Volume and 2012 Supplement)

21 BY repealing and reenacting, with amendments,
22 Article 2B – Alcoholic Beverages
23 Section 8–202(b) and 13–101(b)(1)
24 Annotated Code of Maryland
25 (2011 Replacement Volume and 2012 Supplement)

26 BY adding to
27 Article 2B – Alcoholic Beverages
28 Section 8–202(l)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Annotated Code of Maryland
2 (2011 Replacement Volume and 2012 Supplement)

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

5 **Article 2B – Alcoholic Beverages**

6 8–202.

7 (a) This section applies only in Anne Arundel County.

8 (b) (1) In this section the following words have the meanings indicated.

9 (2) “Board” means the Board of License Commissioners.

10 (3) **[“License”] EXCEPT AS OTHERWISE PROVIDED IN**
11 **SUBSECTION (L) OF THIS SECTION, “LICENSE”** means a license for the sale of
12 alcoholic beverages that is issued by the Board.

13 **(L) (1) IN THIS SUBSECTION, “RETAIL ESTABLISHMENT” MEANS A**
14 **PLACE OF BUSINESS WITH THE PRIMARY PURPOSE OF SELLING GOODS OR**
15 **SERVICES TO A CONSUMER WHO IS PRESENT AT THE PLACE OF BUSINESS AT**
16 **THE TIME OF SALE.**

17 **(2) THERE IS A RETAIL ESTABLISHMENT LICENSE.**

18 **(3) THE BOARD MAY ISSUE A RETAIL ESTABLISHMENT LICENSE**
19 **TO THE OWNER OF A LICENSED RETAIL ESTABLISHMENT.**

20 **(4) THE RETAIL ESTABLISHMENT LICENSE AUTHORIZES THE**
21 **HOLDER TO PROVIDE WITHOUT CHARGE BEER, WINE, AND LIQUOR FOR**
22 **CONSUMPTION ON THE PREMISES OF THE RETAIL ESTABLISHMENT.**

23 **(5) THE BOARD SHALL DETERMINE THE QUANTITY OF BEER,**
24 **WINE, AND LIQUOR THAT MAY BE SERVED TO ANY ONE PERSON PER DAY.**

25 **(6) THE ANNUAL FEE FOR A RETAIL ESTABLISHMENT LICENSE IS**
26 **\$100.**

27 **(7) THE ANNUAL LICENSE FEE SHALL BE PAID ON OR BEFORE**
28 **MAY 1 TO THE BOARD.**

1 **(8) THE HOURS FOR THE SALE AND CONSUMPTION OF**
2 **ALCOHOLIC BEVERAGES UNDER A RETAIL ESTABLISHMENT LICENSE ARE THE**
3 **SAME AS THE HOURS OF OPERATION OF THE RETAIL ESTABLISHMENT.**

4 **(9) THE PROVISIONS OF TITLE 13 OF THIS ARTICLE RELATING TO**
5 **ALCOHOL AWARENESS PROGRAMS APPLY TO THE HOLDER OF A RETAIL**
6 **ESTABLISHMENT LICENSE.**

7 13–101.

8 (a) In this section “alcohol awareness program” means a program:

9 (1) That:

10 (i) Is approved and certified by the State Comptroller; and

11 (ii) Has been issued an alcohol awareness program permit by
12 the State Comptroller;

13 (2) That includes instruction on how alcohol affects a person’s:

14 (i) Body; and

15 (ii) Behavior;

16 (3) That provides education on the dangers of drinking and driving;
17 and

18 (4) That defines effective methods for:

19 (i) Serving customers to minimize the chance of intoxication;

20 (ii) Ceasing service before the customer becomes intoxicated;
21 and

22 (iii) Determining if a customer is under the drinking age.

23 (b) (1) The provisions of this section apply to:

24 (i) Licensed premises that are operated by selling alcoholic
25 beverages directly to a customer from a bar or service bar on the premises;

26 (ii) Premises licensed for off sale;

27 (iii) In Montgomery County, a holder of a caterer’s license issued
28 under § 6–706.1 of this article; [and]

1 (iv) In Baltimore City, an establishment covered under §
2 20-102(a) of this article; AND

3 (v) IN ANNE ARUNDEL COUNTY, A HOLDER OF A RETAIL
4 ESTABLISHMENT LICENSE ISSUED UNDER § 8-202(L) OF THIS ARTICLE.

5 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
6 June 1, 2013.