A1 3lr1176 CF HB 74

By: Senators Young, Madaleno, Pinsky, Raskin, and Rosapepe

Introduced and read first time: January 18, 2013

Assigned to: Education, Health, and Environmental Affairs

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 the State.
- 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 holder who seeks to allow an individual to consume in subparagraph (i) of this paragraph.
11 12 13	S	ed und	er su	holder that allows an individual the privilege of ubparagraph (i) of this paragraph may determine he privilege, on which a sales tax shall be imposed.
14 15 16	(iv) the license holder shall paragraph that remains a	dispo	se of	s 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	ridual may remove from the licensed premises a h 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) under subparagraph (v) 10–125 of the Criminal L	of thi	s par	of wine that is removed from the licensed premises ragraph is an "open container" for purposes of §
24 25 26	•	sibly ur	nder t	holder may not allow an individual who is under the influence of an alcoholic beverage the privilege subparagraph (i) of this paragraph.
27 28	SECTION 2. AND July 1, 2013.	BE IT	' FUR	RTHER ENACTED, That this Act shall take effect