

SB0341/604631/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 341  
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 2, 3, and 14, in each instance, after “County” insert “and St. Mary’s County”; in line 4, strike “Board of License Commissioners” and substitute “boards of license commissioners for the counties”; in lines 5 and 13, in each instance, strike “Board” and substitute “boards”; and in line 17, after “8-205” insert “and 8-219.1”.

AMENDMENT NO. 2

On page 3, after line 23, insert:

“8-219.1.

(A) THIS SECTION APPLIES ONLY IN ST. MARY’S COUNTY.

(B) IN THIS SECTION, “BOARD” MEANS THE BOARD OF LICENSE COMMISSIONERS.

(C) (1) THERE IS A REFILLABLE CONTAINER PERMIT.

(2) THE BOARD MAY ISSUE A REFILLABLE CONTAINER PERMIT TO A HOLDER OF A CLASS A LICENSE, A CLASS B LICENSE, OR A CLASS D LICENSE.

(3) SUBJECT TO PARAGRAPH (4) OF THIS SUBSECTION, A REFILLABLE CONTAINER PERMIT ENTITLES THE PERMIT HOLDER TO SELL DRAFT BEER FOR CONSUMPTION OFF THE LICENSED PREMISES IN A

(Over)

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

(4) TO BE USED AS A REFILLABLE CONTAINER UNDER PARAGRAPH (3) OF THIS SUBSECTION, A CONTAINER SHALL:

(I) BE SEALABLE;

(II) BE BRANDED WITH AN IDENTIFYING MARK OF THE PERMIT HOLDER WHO SELLS THE CONTAINER;

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

(IV) DISPLAY INSTRUCTIONS FOR CLEANING THE CONTAINER; AND

(V) BEAR A LABEL STATING THAT:

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

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

(5) BEFORE THE BOARD ISSUES A REFILLABLE CONTAINER PERMIT:

**(I) THE APPLICANT SHALL:**

**1. COMPLETE THE FORM THAT THE BOARD PROVIDES; AND**

**2. PAY AN ANNUAL PERMIT FEE OF:**

**A. \$500 FOR AN APPLICANT WHOSE ALCOHOLIC BEVERAGES LICENSE DOES NOT HAVE AN OFF-SALE PRIVILEGE; OR**

**B. \$50 FOR AN APPLICANT WHOSE ALCOHOLIC BEVERAGES LICENSE HAS AN OFF-SALE PRIVILEGE; AND**

**(II) AN APPLICANT WHO HOLDS A LICENSE WITHOUT AN OFF-SALE PRIVILEGE SHALL MEET THE SAME ADVERTISING, POSTING-OF-NOTICE, AND PUBLIC HEARING REQUIREMENTS AS THOSE FOR THE LICENSE THAT THE APPLICANT HOLDS.**

**(6) THE TERM OF A REFILLABLE CONTAINER PERMIT ISSUED TO A SUCCESSFUL APPLICANT IS THE SAME AS THAT OF THE LICENSE THAT THE APPLICANT HOLDS.**

**(7) THE HOURS OF SALE FOR A REFILLABLE CONTAINER PERMIT:**

**(I) BEGIN AT THE SAME TIME AS THOSE FOR THE LICENSE ALREADY HELD BY THE PERSON TO WHOM THE REFILLABLE CONTAINER PERMIT IS ISSUED; AND**

(II) END AT MIDNIGHT.

(8) A PERMIT HOLDER MAY REFILL ONLY A REFILLABLE CONTAINER THAT WAS BRANDED BY A PERMIT HOLDER.

(9) THE BOARD SHALL ADOPT REGULATIONS TO CARRY OUT THIS SECTION.”.