$\begin{array}{c} \text{A2} \\ \text{CF HB 210} \end{array}$

By: Carroll County Senators

Introduced and read first time: January 29, 2014

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1	A TAT		•
L	AN	ACT	concerning

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Carroll County - Alcoholic Beverages - Refillable Container Permit

3 FOR the purpose of creating in Carroll County a refillable container permit; 4 authorizing the Board of License Commissioners to issue the permit to a holder 5 of certain classes of alcoholic beverages licenses issued by the Board; specifying 6 that a holder of the permit may sell draft beer for consumption off the licensed 7 premises in a certain refillable container; requiring a refillable container to 8 meet certain requirements; requiring an applicant for the permit to complete a 9 certain form and pay a certain fee; requiring that certain applicants meet certain advertising, posting of notice, and public hearing requirements; 10 specifying the term of the permit; specifying the hours of sale for the permit; 11 12allowing a holder of the permit to refill only a refillable container that was 13 branded by a permit holder; requiring the Board to adopt certain regulations; and generally relating to alcoholic beverages in Carroll County. 14

- 15 BY adding to
- 16 Article 2B Alcoholic Beverages
- 17 Section 8–207
- 18 Annotated Code of Maryland
- 19 (2011 Replacement Volume and 2013 Supplement)
- 20 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
- 21 MARYLAND, That the Laws of Maryland read as follows:
- 22 Article 2B Alcoholic Beverages
- 23 **8–207.**
- 24 (A) THIS SECTION APPLIES ONLY IN CARROLL COUNTY.

- (B) IN THIS SECTION, "BOARD" MEANS THE BOARD OF LICENSE 1 2 COMMISSIONERS. 3 (C) **(1)** THERE IS A REFILLABLE CONTAINER PERMIT. 4 **(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. 5 6 SUBJECT TO PARAGRAPH (4) OF THIS SUBSECTION, A **(3)** REFILLABLE CONTAINER PERMIT ENTITLES THE PERMIT HOLDER TO SELL 7 DRAFT BEER FOR CONSUMPTION OFF THE LICENSED PREMISES IN A 8 REFILLABLE CONTAINER WITH A CAPACITY OF NOT LESS THAN 32 OUNCES AND 9 10 NOT MORE THAN 128 OUNCES. 11 **(4)** TO BE USED AS A REFILLABLE CONTAINER UNDER PARAGRAPH (3) OF THIS SUBSECTION, A CONTAINER SHALL: 12 13 **(I)** BE SEALABLE;
- 15 PERMIT HOLDER WHO SELLS THE CONTAINER;

BE BRANDED WITH AN IDENTIFYING MARK OF THE

(II)

- 16 (III) BEAR THE FEDERAL HEALTH WARNING STATEMENT
- REQUIRED FOR CONTAINERS OF ALCOHOLIC BEVERAGES UNDER 27 C.F.R. 17
- 16.21; 18

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- 19 (IV) DISPLAY INSTRUCTIONS FOR **CLEANING** THE
- 20 **CONTAINER; AND**
- 21(V) BEAR A LABEL STATING THAT:
- 221. CLEANING THE CONTAINER IS THE
- 23RESPONSIBILITY OF THE CONSUMER; AND
- 242. THE CONTENTS \mathbf{OF} THE CONTAINER ARE
- PERISHABLE AND SHOULD BE REFRIGERATED IMMEDIATELY AND CONSUMED 25
- WITHIN 48 HOURS AFTER PURCHASE. 26
- BEFORE THE BOARD ISSUES A REFILLABLE CONTAINER 27**(5)**
- 28**PERMIT:**
- 29 **(I)** THE APPLICANT SHALL:

1	1. COMPLETE THE FORM THAT THE BOARD
2	PROVIDES; AND
3	2. PAY AN ANNUAL PERMIT FEE OF:
4	A. \$500 FOR AN APPLICANT WHOSE ALCOHOLIC
5	BEVERAGES LICENSE DOES NOT HAVE AN OFF-SALE PRIVILEGE; OR
6	B. \$50 FOR AN APPLICANT WHOSE ALCOHOLIC
7	BEVERAGES LICENSE HAS AN OFF-SALE PRIVILEGE; AND
8	(II) AN APPLICANT WHO HOLDS A PERMIT WITHOUT AN
9	OFF-SALE PRIVILEGE SHALL MEET THE SAME ADVERTISING, POSTING OF
10	NOTICE, AND PUBLIC HEARING REQUIREMENTS AS THOSE FOR THE PERMIT
11	THAT THE APPLICANT HOLDS.
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12	(6) THE TERM OF A REFILLABLE CONTAINER PERMIT ISSUED TO
13	A SUCCESSFUL APPLICANT IS THE SAME AS THAT OF THE LICENSE THAT THE
14	APPLICANT HOLDS.
15	(7) THE HOURS OF SALE FOR A REFILLABLE CONTAINER PERMIT:
16	(I) BEGIN AT THE SAME TIME AS THOSE FOR THE LICENSE
17	ALREADY HELD BY THE PERSON TO WHOM THE REFILLABLE CONTAINER
18	PERMIT IS ISSUED; AND
LO	TERMIT IS ISSUED, TAVE
19	(II) END AT MIDNIGHT.
20	(8) A PERMIT HOLDER MAY REFILL ONLY A REFILLABLE
21	CONTAINER THAT WAS BRANDED BY A PERMIT HOLDER.
22	(9) THE BOARD SHALL ADOPT REGULATIONS TO CARRY OUT THIS
23	SUBSECTION.
24	SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
25	July 1, 2014.