

SENATE BILL 856

A2

4lr2747

By: **Senator Edwards**

Introduced and read first time: January 31, 2014

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Garrett County – Alcoholic Beverages – Refillable Containers**

3 FOR the purpose of requiring a refillable container in Garrett County to be branded
4 with an identifying mark of the permit holder who sells the container; and
5 generally relating to alcoholic beverages in Garrett County.

6 BY repealing and reenacting, with amendments,
7 Article 2B – Alcoholic Beverages
8 Section 8–212
9 Annotated Code of Maryland
10 (2011 Replacement Volume and 2013 Supplement)

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

13 **Article 2B – Alcoholic Beverages**

14 8–212.

15 (a) This section applies only in Garrett County.

16 (b) (1) To sell draft beer, any establishment regularly licensed to sell beer
17 shall obtain a special license from the Board of License Commissioners and the fee for
18 the license is \$75. The issuing fee for new licenses, in addition to the annual fee, is
19 \$75.

20 (2) (i) To sell draft beer, a licensee who holds a Class B–resort
21 license shall obtain a special license from the Board of License Commissioners.

22 (ii) The annual license fees are:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 1. Two facilities, \$150; and

2 2. Each additional facility, \$75.

3 (iii) The Board of License Commissioners shall charge an issuing
4 fee for new licenses in an amount equal to the annual license fee.

5 (c) (1) There is a refillable container permit.

6 (2) The Board of License Commissioners may issue a refillable
7 container permit to a draft beer license holder who also holds any alcoholic beverages
8 license issued by the Board except a Class C license or a Class A license.

9 (3) Subject to paragraph (4) of this subsection, a refillable container
10 permit entitles the holder to sell draft beer for consumption off the licensed premises
11 in a refillable container with a capacity of not less than 32 ounces and not more than
12 128 ounces.

13 (4) To be used as a refillable container, a container shall:

14 (i) Be sealable;

15 (ii) Be branded with an identifying mark of the [license]
16 PERMIT holder WHO SELLS THE CONTAINER;

17 (iii) Bear the federal health warning statement required for
18 containers of alcoholic beverages under 21 C.F.R. 16.21;

19 (iv) Display instructions for cleaning the container; and

20 (v) Bear a label stating that:

21 1. Cleaning the container is the responsibility of the
22 consumer; and

23 2. The contents of the container are perishable and
24 should be refrigerated immediately and consumed within 48 hours after purchase.

25 (5) The Board of License Commissioners may adopt regulations to
26 carry out this subsection.

27 (d) Any person violating the provisions of this section shall be deemed guilty
28 of a misdemeanor and upon conviction shall be subject to a fine of not more than
29 \$5,000 or to imprisonment for not more than 1 year or both.

30 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
31 July 1, 2014.