HOUSE BILL 523

A2   5lr1650

By: **Delegate Beitzel**
Introduced and read first time: February 11, 2015
Assigned to: Economic Matters

Committee Report: Favorable with amendments
House action: Adopted
Read second time: March 3, 2015

CHAPTER _____

1   AN ACT concerning

2   ~~Garrett County – Alcoholic Beverages – Special Multiple Event Class C Licenses~~
3   <u>Alcoholic Beverages – Garrett County – Multiple Event License</u>

4   FOR the purpose of requiring <u>the holder of a certain special multiple event license</u> in
5   Garrett County ~~that a certain organization for which a special multiple event Class~~
6   ~~C license is issued~~ <u>to</u> ensure that at least one individual who is certified by an
7   approved alcohol awareness program is on the premises when alcoholic beverages
8   ~~may be sold~~ <u>are served</u>; authorizing ~~a~~ <u>the license</u> holder ~~of a special multiple event~~
9   ~~Class C license~~ to store certain alcoholic beverages between certain events under
10   certain circumstances <u>and conditions</u>; requiring the license holder to keep certain
11   records in a certain manner; authorizing certain personnel of the Comptroller's
12   Office and the Board of License Commissioners of Garrett County to inspect certain
13   records in a certain manner; ~~providing that a license holder who violates this Act is~~
14   ~~subject to certain fines and denial of certain licenses;~~ making a technical change; and
15   generally relating to alcoholic beverages in Garrett County.

16   BY repealing and reenacting, with amendments,
17   Article 2B – Alcoholic Beverages
18   Section 7–101(p)
19   Annotated Code of Maryland
20   (2011 Replacement Volume and 2014 Supplement)

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

EXPLANATION: **CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.**
   [Brackets] indicate matter deleted from existing law.
   <u>Underlining</u> indicates amendments to bill.
   ~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by
   amendment.

1   **Article 2B – Alcoholic Beverages**

2   7–101.

3   (p)   (1)   In Garrett County, there are 4 types of special Class C beer, beer and
4   wine, or beer, wine and liquor licenses available, as follows:

5   (i)   A special 2–day Class C license for a fee of $50;

6   (ii)   A special 6–day Class C license for a fee of $150;

7   (iii)   A special 12–day Class C license for a fee of $300; or

8   (iv)   A special multiple event Class C license under the following
9   conditions:

10   1.   The Board of License Commissioners may issue a special
11   multiple event license to an organization that otherwise qualifies for a special Class C
12   license;

13   2.   The annual fee for a special multiple event license is as
14   follows:

15   A. $125 for up to 5 events per year;

16   B. $250 for up to 12 events per year;

17   C. $375 for up to 18 events per year; and

18   D. $500 for up to 24 events per year;

19   3.   The Board may not issue more than 1 special multiple
20   event license to an organization in a license year;

21   4.   A special multiple event licensee shall notify the Board in
22   writing at least 7 days before an event; and

23   5.   The Board shall publish a notice for application for a
24   special multiple event license one time at least 7 days before the hearing on the license.

25   (2)   (i)   Subject to subparagraph (ii) of this paragraph, the Garrett
26   County Board of License Commissioners may grant a license holder a privilege at no charge
27   to sell for consumption off the licensed premises an alcoholic beverage authorized by the
28   license if:

29   1.   The alcoholic beverage is bottled in commemorative or
30   special event bottles and sold at a special event;

1   2.   The Board approves the commemorative or special event
2 bottles before the event occurs; and

3   3.   The alcoholic beverage will be sold at the event only on the
4 days and hours allowed by the Board.

5   (ii)   A holder of a license is entitled to be granted the privilege
6 described under subparagraph (i) of this paragraph if the license is a:

7   1.   Special 2–day Class C license;

8   2.   Special 6–day Class C license;

9   3.   Special 12–day Class C license; or

10   4.   Special **[**multi–event**]** **MULTIPLE EVENT** Class C license.

11   **(3)   THE ORGANIZATION FOR WHICH A SPECIAL MULTIPLE EVENT**
12 **CLASS C LICENSE IS ISSUED SHALL ENSURE THAT AT LEAST ONE SERVER WHO IS**
13 **CERTIFIED BY AN APPROVED ALCOHOL AWARENESS PROGRAM IS ON THE PREMISES**
14 **WHEN ALCOHOLIC BEVERAGES ARE SERVED.**

15   **(4)   (I)   THIS PARAGRAPH APPLIES ONLY TO THE HOLDER OF A**
16 **SPECIAL MULTIPLE EVENT** ~~CLASS C~~ **LICENSE WHO HAS AN APPROVED LICENSED**
17 **PREMISES.**

18   **(II)   ALCOHOLIC BEVERAGES MAY BE STORED** ~~ON THE LICENSED~~
19 ~~PREMISES BETWEEN THE INDIVIDUAL LICENSED EVENTS~~ **BETWEEN INDIVIDUAL**
20 **LICENSED EVENTS ON THE LICENSED PREMISES OR IN A STORAGE AREA THAT THE**
21 **BOARD OF LICENSE COMMISSIONERS APPROVES IF THE ALCOHOLIC BEVERAGES:**

22   **1.   ARE IN A SPECIALLY IDENTIFIED LOCKED AND**
23 **SECURED LOCATION; AND**

24   **2.   ARE NOT SOLD OR CONSUMED EXCEPT DURING**
25 **LICENSED EVENT HOURS FOR LICENSED EVENT PURPOSES.**

26   **(III)   1.   A LICENSE HOLDER SHALL KEEP COMPLETE AND**
27 **ACCURATE RECORDS OF ALL ALCOHOLIC BEVERAGES PURCHASED AND SOLD ON**
28 **THE LICENSED PREMISES.**

29   **2.   THE RECORDS SHALL BE:**

1   **A.   MAINTAINED ON THE LICENSED PREMISES FOR 2**
2   **YEARS; AND**

3   **B.   AVAILABLE FOR INSPECTION BY AUTHORIZED**
4   **PERSONNEL OF THE COMPTROLLER'S OFFICE AND THE BOARD OF LICENSE**
5   **COMMISSIONERS.**

6   **3.   THE RECORDS SHALL INCLUDE A COMPLETED**
7   **PRE– AND POST–INVENTORY OF ALL ALCOHOLIC BEVERAGES FOR EACH INDIVIDUAL**
8   **EVENT.**

9   ~~**(IV)   A LICENSE HOLDER WHO VIOLATES THIS PARAGRAPH IS**~~
10   ~~**SUBJECT TO:**~~

11   ~~**1.   FOR THE FIRST OFFENSE, A FINE OF $100; AND**~~

12   ~~**2.   FOR THE SECOND OFFENSE, A FINE NOT EXCEEDING**~~
13   ~~**$500 AND DENIAL OF FUTURE REQUESTS FOR A LICENSE FOR AN INDIVIDUAL EVENT**~~
14   ~~**OR A SPECIAL MULTIPLE EVENT LICENSE.**~~

15   **(IV)   AUTHORIZED PERSONNEL OF THE COMPTROLLER'S**
16   **OFFICE AND THE BOARD OF LICENSE COMMISSIONERS MAY INSPECT THE**
17   **PREMISES OF A LICENSE HOLDER AS PROVIDED UNDER § 16–405 OF THIS ARTICLE.**

18   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect ~~July~~
19   October 1, 2015.

Approved:

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                                                  Governor.

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                                     Speaker of the House of Delegates.

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                                       President of the Senate.