

SENATE BILL 788

A2

6lr3560
CF HB 1068

By: **Senator Ferguson**

Introduced and read first time: February 5, 2016

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: April 2, 2016

CHAPTER _____

1 AN ACT concerning

2 **Baltimore City – Alcoholic Beverages – Pub Crawl Promoter’s Permits**

3 FOR the purpose of creating a pub crawl promoter’s permit in Baltimore City; authorizing
4 the Baltimore City Board of License Commissioners to issue a pub crawl promoter’s
5 permit to a certain applicant who has submitted an application to the Board of
6 License Commissioners no less than a certain number of days before a certain date;
7 requiring an applicant to obtain a certain special event permit and provide a copy of
8 the special event permit and provide a completed application and any other
9 document that the Board requires to the Board of License Commissioners before
10 being issued the pub crawl promoter’s permit; requiring certain license holders to
11 sign and date a certain application ~~and pay a certain fee~~; requiring the Board to take
12 a certain action within a certain time period; specifying that the permit authorizes
13 the holder to conduct a pub crawl; requiring a pub crawl to be held on certain
14 premises; specifying the duration of a permit; authorizing the Board of License
15 Commissioners to adopt certain regulations; specifying a certain application fee and
16 permit fee; ~~establishing a certain penalty~~ penalties; defining certain terms; and
17 generally relating to pub crawl promoter’s permits in Baltimore City.

18 BY adding to

19 Article – Alcoholic Beverages

20 Section 12–1101.1

21 Annotated Code of Maryland

22 (As enacted by Chapter ___ (S.B. 724) of the Acts of the General Assembly of 2016)

23 BY repealing and reenacting, without amendments,

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 Article – Alcoholic Beverages
 2 Section 12–2801
 3 Annotated Code of Maryland
 4 (As enacted by Chapter ____ (S.B. 724) of the Acts of the General Assembly of 2016)

5 BY repealing and reenacting, with amendments,
 6 Article – Alcoholic Beverages
 7 Section 12–2802
 8 Annotated Code of Maryland
 9 (As enacted by Chapter ____ (S.B. 724) of the Acts of the General Assembly of 2016)

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

12 **Article – Alcoholic Beverages**

13 **12–1101.1.**

14 ~~(A) IN THIS SECTION, “PUB CRAWL” MEANS AN EVENT DURING WHICH AN~~
 15 ~~ORGANIZED GROUP OF AT LEAST THREE LICENSE HOLDERS UNDER THIS TITLE~~
 16 ~~WHOSE PREMISES ARE WITHIN WALKING DISTANCE OF EACH OTHER OFFER~~
 17 ~~DISCOUNTED ALCOHOLIC BEVERAGES DURING A SPECIFIED TIME TO A GROUP OF~~
 18 ~~PARTICIPANTS IN THE EVENT.~~

19 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
 20 INDICATED.

21 (2) “PUB CRAWL” MEANS AN EVENT IN WHICH:

22 (I) AN ORGANIZED GROUP OF AT LEAST THREE LICENSE
 23 HOLDERS WHOSE PREMISES ARE WITHIN WALKING DISTANCE OF EACH OTHER
 24 PARTICIPATES IN A COORDINATED PROMOTION TO SELL OR PROVIDE ALCOHOLIC
 25 BEVERAGES DURING A SPECIFIED TIME; AND

26 (II) AT LEAST 75 INDIVIDUALS ARE REASONABLY ANTICIPATED
 27 TO PARTICIPATE.

28 (3) “PUB CRAWL PROMOTER” MEANS AN INDIVIDUAL, A FOR–PROFIT
 29 ORGANIZATION, OR A NONPROFIT ORGANIZATION THAT CONDUCTS A PUB CRAWL.

30 (B) THERE IS A PUB CRAWL PROMOTER’S PERMIT.

31 (C) A FOR–PROFIT ORGANIZATION OR A NONPROFIT ORGANIZATION PUB
 32 CRAWL PROMOTER OR A PARTICIPATING LICENSE HOLDER ON BEHALF OF A PUB
 33 CRAWL PROMOTER SHALL OBTAIN THE PERMIT FROM THE BOARD BEFORE THE

1 ~~ORGANIZATION~~ PUB CRAWL PROMOTER MAY PUBLICIZE, SELL TICKETS FOR,
2 ORGANIZE, OPERATE, PRODUCE, OR STAGE A PUB CRAWL.

3 (D) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION,
4 THE BOARD MAY ~~ISSUE~~ GRANT THE PERMIT TO AN APPLICANT WHO SUBMITS AN
5 APPLICATION TO THE BOARD AS PROVIDED UNDER TITLE 4 OF THIS ARTICLE AT
6 LEAST 42 DAYS BEFORE THE DATE OF THE PUB CRAWL.

7 (2) BEFORE BEING ~~ISSUED~~ GRANTED THE PERMIT, AN APPLICANT
8 SHALL:

9 (I) OBTAIN A SPECIAL EVENT PERMIT FROM THE BALTIMORE
10 CITY DEPARTMENT OF TRANSPORTATION; ~~AND~~

11 (II) PROVIDE A COPY OF THE SPECIAL EVENT PERMIT TO THE
12 ~~BOARD.~~

13 ~~(3) EACH LICENSE HOLDER THAT PARTICIPATES IN THE PUB CRAWL~~
14 ~~SHALL:~~

15 ~~(I) SIGN AND DATE THE APPLICATION; AND~~

16 ~~(II) PAY TO THE BOARD A \$100 PARTICIPATION FEE. BOARD;~~
17 AND

18 (III) PROVIDE A COMPLETED APPLICATION THAT:

19 1. IS SIGNED AND DATED BY EACH LICENSE HOLDER
20 THAT WILL PARTICIPATE IN THE PUB CRAWL;

21 2. LISTS EACH PREMISES FOR WHICH THE PUB CRAWL
22 WILL BE HELD; AND

23 3. IS ACCOMPANIED BY ANY OTHER DOCUMENT THAT
24 THE BOARD REQUIRES.

25 (3) AN APPLICATION MAY NOT BE ALTERED WITHIN 30 DAYS BEFORE
26 THE PUB CRAWL IS SCHEDULED TO TAKE PLACE.

27 (4) WITHIN 14 DAYS AFTER RECEIVING AN APPLICATION, THE BOARD
28 SHALL GRANT OR DENY THE PERMIT OR REQUEST MORE INFORMATION FROM THE
29 APPLICANT.

1 (E) THE PERMIT AUTHORIZES THE ~~PERMIT HOLDER~~ PUB CRAWL PROMOTER
 2 AND PARTICIPATING LICENSE HOLDERS TO CONDUCT A PUB CRAWL.

3 ~~(F) EACH PREMISES FOR WHICH A PUB CRAWL IS HELD SHALL BE:~~

4 ~~(1) ISSUED A LICENSE UNDER THIS TITLE; AND~~

5 ~~(2) LISTED ON THE APPLICATION FOR THE PERMIT.~~

6 ~~(G)~~ (F) THE PERMIT FOR EACH PUB CRAWL MAY BE IN EFFECT FOR THE
 7 TIME STATED ON THE SPECIAL EVENT PERMIT REQUIRED UNDER SUBSECTION
 8 (D)(2) OF THIS SECTION.

9 ~~(H)~~ (G) THE BOARD MAY ADOPT REGULATIONS ESTABLISHING THE
 10 REQUIREMENTS FOR:

11 (1) CONDUCTING A PUB CRAWL, INCLUDING HEALTH AND SAFETY
 12 STANDARDS TO BE MET BY THE ~~PERMIT HOLDER~~ PUB CRAWL PROMOTER AND
 13 PARTICIPATING LICENSE HOLDERS; AND

14 (2) PROVIDING PUBLIC NOTICE OF A PUB CRAWL AT THE PREMISES
 15 OF PARTICIPATING LICENSE HOLDERS BY THE PUB CRAWL PROMOTER OR
 16 PARTICIPATING LICENSE HOLDERS.

17 ~~(I) THE APPLICATION FEE IS \$50.~~

18 ~~(J) THE PERMIT FEE IS \$250.~~

19 (H) (1) THE APPLICATION FEE IS \$50, PAYABLE ON THE SUBMISSION OF
 20 THE APPLICATION.

21 (2) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE
 22 PERMIT FEE, PAYABLE WHEN THE PERMIT IS GRANTED, IS:

23 1. \$120; AND

24 2. \$100 FOR EACH LICENSE HOLDER THAT
 25 PARTICIPATES IN THE PUB CRAWL.

26 (II) ON RECEIPT OF AN APPLICATION, THE BOARD MAY REDUCE
 27 THE PERMIT FEE BY NOT MORE THAN 50% IF THE APPLICANT SHOWS THAT THE
 28 PROCEEDS FROM THE PUB CRAWL AFTER ADMINISTRATIVE EXPENSES ARE
 29 DEDUCTED SHALL BE USED TO BENEFIT AN ORGANIZATION THAT IS EXEMPT FROM
 30 TAXATION UNDER § 501(C)(3) OF THE INTERNAL REVENUE CODE.

1 12-2801.

2 Section 6-402 (“General penalty”) of Division I of this article applies in the City.

3 12-2802.

4 (a) For a violation that is cause for suspension of a license, the Board may:

5 (1) except as provided in [subsection (b)] **SUBSECTIONS (B) AND (C)** of
 6 this section, for a first offense, impose a fine not exceeding \$500 or suspend the license or
 7 both; or

8 (2) **EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION**, for
 9 each subsequent offense, impose a fine not exceeding \$3,000 or suspend the license or both.

10 (b) For a first offense of selling alcoholic beverages to an individual under the age
 11 of 21 years, the Board may impose a fine not exceeding \$1,000 or suspend the license or
 12 both.

13 **(C) (1) FOR THE OFFENSE OF PUBLICIZING, SELLING TICKETS FOR,**
 14 **ORGANIZING, OPERATING, PRODUCING, FACILITATING, OR STAGING A PUB CRAWL**
 15 **~~WITHOUT OBTAINING WITH THE KNOWLEDGE OR A REASON TO KNOW THAT A PUB~~**
 16 **CRAWL PROMOTER’S PERMIT AS REQUIRED UNDER § 12-1101.1 OF THIS TITLE HAS**
 17 **NOT BEEN OBTAINED, THE BOARD SHALL IMPOSE A FINE OF NOT LESS THAN \$1,000**
 18 **AND NOT MORE THAN \$3,000 OR SUSPEND THE LICENSE OR BOTH.**

19 **(2) A PERSON WHO VIOLATES § 12-1101.1 OF THIS TITLE MAY NOT BE**
 20 **GRANTED A PROMOTER’S PERMIT FOR AT LEAST 1 YEAR.**

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
 22 1, 2016.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.