

Chapter 601

(House Bill 1062)

AN ACT concerning

St. Mary’s County – Alcoholic Beverages – Permits, Training, Prohibited Acts, and Violations

FOR the purpose of altering the serving size of a sample serving of beer permitted to be served to an individual by a holder of a Class BWTS beer and wine tasting or sampling ~~permits~~ license in St. Mary’s County; establishing a BWT beer and wine tasting permit in St. Mary’s County for a certain purpose; authorizing the Board of License Commissioners for St. Mary’s County to issue the permit only to a holder of a certain license; providing for the application and fees for, maximum permit periods, and restrictions associated with the permit; requiring an applicant for an alcoholic beverages license in St. Mary’s County to attend certain training within a certain time after the application is approved; providing that attendance at certain training does not fulfill a certain training requirement; prohibiting a person who operates a certain establishment in St. Mary’s County without an alcoholic beverages license from knowingly allowing a customer to bring alcoholic beverages for consumption into, or on the grounds of, the establishment; providing that a person who violates a certain law is subject to license revocation or suspension and a certain civil penalty imposed by the Board; authorizing the Board to impose a certain fine on a certain employee of a holder of an alcoholic beverages license for selling alcoholic beverages to certain individuals; and generally relating to the regulation of alcoholic beverages in St. Mary’s County.

BY repealing and reenacting, without amendments,

Article – Alcoholic Beverages

Section 28–102 and 28–1306(a)

Annotated Code of Maryland

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

BY repealing and reenacting, with amendments,

Article – Alcoholic Beverages

Section 28–1306(f), 28–2501, and 28–2802

Annotated Code of Maryland

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

BY adding to

Article – Alcoholic Beverages

Section 28–1307 and 28–1411

Annotated Code of Maryland

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

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

Article – Alcoholic Beverages

28–102.

This title applies only in St. Mary’s County.

28–1306.

(a) There is a 1–day Class BWTS beer and wine tasting or sampling license.

(f) An individual may consume beer or wine covered by the license in a quantity not exceeding:

(1) 1 ounce from each offering and 4 ounces from all offerings of wine in a day; and

(2) [3] 2 ounces from each offering and 8 ounces from all offerings of beer in a day.

28–1307.

(A) THERE IS A BWT BEER AND WINE TASTING PERMIT.

(B) THE BOARD MAY ISSUE THE PERMIT ONLY TO A HOLDER OF A CLASS A LICENSE.

(C) THE PERMIT AUTHORIZES THE HOLDER TO ALLOW THE ON–PREMISES CONSUMPTION OF BEER AND WINE FOR TASTING PURPOSES ONLY.

(D) THE HOLDER OF A CLASS A LICENSE MAY APPLY FOR AND THE BOARD MAY ISSUE THE PERMIT THAT IS EFFECTIVE FOR A MAXIMUM OF:

(1) ANY 26 DAYS IN A LICENSING PERIOD;

(2) ANY 52 DAYS IN A LICENSING PERIOD; OR

(3) 365 DAYS IN A LICENSING PERIOD.

(E) A PERMIT HOLDER SHALL NOTIFY THE BOARD OF THE HOLDER’S INTENT TO HAVE A TASTING AT LEAST 7 DAYS BEFORE THE EVENT IF THE PERMIT IS EFFECTIVE FOR ANY:

(1) 26 DAYS IN A LICENSING PERIOD; OR

(2) 52 DAYS IN A LICENSING PERIOD.

(F) AN INDIVIDUAL MAY CONSUME BEER OR WINE COVERED BY THE LICENSE IN A QUANTITY NOT EXCEEDING:

(1) 1 OUNCE FROM EACH OFFERING AND 4 OUNCES FROM ALL OFFERINGS OF WINE IN A DAY; AND

(2) 2 OUNCES FROM EACH OFFERING AND 8 OUNCES FROM ALL OFFERINGS OF BEER IN A DAY.

(G) THE PERMIT AUTHORIZES THE CONSUMPTION OF BEER OR WINE ONLY ON THE LICENSED PREMISES OF THE HOLDER.

(H) THE PERMIT FEES ARE:

~~(1)~~ **(1) FOR A PERMIT THAT IS EFFECTIVE FOR ANY 26 DAYS IN A LICENSING PERIOD, \$150;**

~~(2)~~ **(2) FOR A PERMIT THAT IS EFFECTIVE FOR ANY 52 DAYS IN A LICENSING PERIOD, \$200; AND**

~~(3)~~ **(3) FOR A PERMIT THAT IS EFFECTIVE FOR 365 DAYS IN A LICENSING PERIOD, \$250.**

28-1411.

(A) WITHIN 90 DAYS AFTER THE BOARD APPROVES AN APPLICATION FOR A LICENSE, THE APPLICANT SHALL ATTEND RESPONSIBLE ALCOHOL SERVICE TRAINING.

(B) ATTENDANCE AT THE RESPONSIBLE ALCOHOL SERVICE TRAINING DOES NOT FULFILL THE ALCOHOL AWARENESS TRAINING REQUIREMENT UNDER § 4-505 OF THIS ARTICLE.

28-2501.

(a) An establishment not licensed by the Board, at a location under the control or possession of the establishment, may not:

(1) sell or serve alcoholic beverages to a member or guest;

- (2) keep alcoholic beverages for a member or guest;
- (3) allow a customer to consume or to be served alcoholic beverages from the supplies that the customer has previously purchased or reserved; or
- (4) sell, serve, keep, or allow to be consumed setups or other component parts of mixed alcoholic drinks to a member or guest.

(b) A person who operates an establishment for profit that is not licensed under this article may not knowingly allow a customer to bring alcoholic beverages for consumption into **OR ON THE GROUNDS OF** the establishment.

(c) A person who violates this section is guilty of a misdemeanor and on conviction is subject to a fine not exceeding \$1,000.

28-2802.

(a) **(1)** A person who violates a law relating to:

~~(1) licensing the sale of alcoholic beverages is guilty of a misdemeanor and on conviction is subject to a fine not exceeding \$1,000; and~~

~~(2) hours or days for the sale of alcoholic beverages is guilty of a misdemeanor and on conviction is subject to imprisonment or a fine not exceeding \$250 or both.~~

(2) IF THE BOARD FINDS THAT A PERSON HAS VIOLATED A LAW RELATING TO LICENSING THE SALE OF ALCOHOLIC BEVERAGES, THE BOARD MAY:

(I) REVOKE OR SUSPEND THE PERSON'S LICENSE;

(II) IMPOSE A CIVIL PENALTY NOT EXCEEDING \$1,000; OR

(III) BOTH REVOKE OR SUSPEND THE PERSON'S LICENSE AND IMPOSE A CIVIL PENALTY NOT EXCEEDING \$1,000.

~~(b) For a license violation, the Board may revoke or suspend a license or impose a fine on the license holder or both.~~

~~(c)~~ **(B) IF AN EMPLOYEE OF A LICENSE HOLDER SELLS ALCOHOLIC BEVERAGES TO AN INDIVIDUAL UNDER THE AGE OF 21 YEARS THE BOARD MAY IMPOSE A FINE ON THE EMPLOYEE NOT EXCEEDING \$500 PER OFFENSE.**

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

Approved by the Governor, May 19, 2016.