

HOUSE BILL 1422

A2

8lr3304
CF SB 1072

By: **Caroline County Delegation**

Introduced and read first time: February 9, 2018

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Caroline County – Alcoholic Beverages – Bed and Breakfast License**

3 FOR the purpose of establishing a 7–day Class B–BB (bed and breakfast) on–sale beer,
4 wine, and liquor license in Caroline County; providing the qualifications that must
5 be met for the issuance or renewal of the license; authorizing the license holder to
6 sell alcoholic beverages to guests of the establishment under certain circumstances;
7 authorizing the license holder to sell alcoholic beverages to guests of certain catered
8 events on– and off–premises under certain circumstances; specifying the hours for
9 sale of alcoholic beverages; specifying that, except during certain catered events, the
10 license does not authorize the license holder to sell alcoholic beverages to certain
11 individuals; authorizing the license holder to allow certain guests to consume
12 personal alcoholic beverages on the premises under certain circumstances and
13 subject to a certain limitation; specifying that certain restrictions do not apply to a
14 permanent resident of the establishment or to guests of the permanent resident;
15 specifying that a license is void under certain circumstances and must be returned
16 to the Board; requiring the license holder to retain and make available certain
17 records; providing for an annual fee for the license; and generally relating to a Class
18 B–BB license in Caroline County.

19 BY renumbering

20 Article – Alcoholic Beverages
21 Section 15–1001
22 to be Section 15–1001.1
23 Annotated Code of Maryland
24 (2016 Volume and 2017 Supplement)

25 BY repealing and reenacting, without amendments,

26 Article – Alcoholic Beverages
27 Section 15–102
28 Annotated Code of Maryland
29 (2016 Volume and 2017 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 BY adding to
2 Article – Alcoholic Beverages
3 Section 15–1001
4 Annotated Code of Maryland
5 (2016 Volume and 2017 Supplement)

6 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
7 That Section(s) 15–1001 of Article – Alcoholic Beverages of the Annotated Code of Maryland
8 be renumbered to be Section(s) 15–1001.1.

9 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read
10 as follows:

11 **Article – Alcoholic Beverages**

12 15–102.

13 This title applies only in Caroline County.

14 **15–1001.**

15 (A) THERE IS A CLASS B–BB (BED AND BREAKFAST) BEER, WINE, AND
16 LIQUOR LICENSE.

17 (B) THE BOARD MAY ISSUE THE LICENSE TO A LICENSE HOLDER WHO IS
18 APPROVED BY THE APPROPRIATE LOCAL GOVERNMENTAL UNIT TO OPERATE A BED
19 AND BREAKFAST THAT:

20 (1) PROVIDES SERVICES ORDINARILY PROVIDED BY A BED AND
21 BREAKFAST;

22 (2) HAS AT LEAST ONE ROOM BUT NOT MORE THAN 10 ROOMS, EACH
23 WITH SLEEPING ACCOMMODATIONS, EXCLUDING RESIDENT MANAGEMENT
24 QUARTERS, THAT THE PUBLIC FOR CONSIDERATION MAY USE FOR A SPECIFIED
25 TIME; AND

26 (3) HAS A KITCHEN FACILITY THAT HAS BEEN APPROVED BY THE
27 APPROPRIATE LOCAL GOVERNMENTAL UNIT.

28 (C) THE LICENSE AUTHORIZES THE LICENSE HOLDER TO SELL BEER, WINE,
29 AND LIQUOR TO A GUEST IF:

30 (1) THE NAME AND ADDRESS OF THE GUEST APPEARS ON THE
31 REGISTRY THAT THE BED AND BREAKFAST MAINTAINS; AND

1 **(2) THE GUEST IS AN OCCUPANT OF A SLEEPING ROOM IN THE BED**
2 **AND BREAKFAST.**

3 **(D) (1) THE LICENSE AUTHORIZES THE LICENSE HOLDER TO SELL BEER,**
4 **WINE, AND LIQUOR FOR ON-PREMISES CONSUMPTION TO A GUEST OF A CATERED**
5 **EVENT AT THE BED AND BREAKFAST IF:**

6 **(I) THE LICENSE HOLDER IS UNDER CONTRACT TO CATER THE**
7 **EVENT;**

8 **(II) THE LICENSE HOLDER CATERES THE EVENT; AND**

9 **(III) FOOD IS SERVED AT THE CATERED EVENT.**

10 **(2) THE LICENSE AUTHORIZES THE LICENSE HOLDER TO CONTRACT**
11 **TO PROVIDE ALCOHOLIC BEVERAGES AT EVENTS HELD OFF THE PREMISES IF:**

12 **(I) THE EVENT IS HELD IN THE COUNTY;**

13 **(II) THE BED AND BREAKFAST ALSO CONTRACTS TO PROVIDE**
14 **FOOD AT THE CATERED EVENT; AND**

15 **(III) THE COST OF ALCOHOLIC BEVERAGES DOES NOT EXCEED**
16 **50% OF THE TOTAL INVOICE FOR THE CATERED EVENT.**

17 **(3) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE**
18 **LICENSE AUTHORIZES THE LICENSE HOLDER TO ALLOW:**

19 **1. A PATRON OF A CATERED EVENT TO BRING PERSONAL**
20 **ALCOHOLIC BEVERAGES ONTO THE PREMISES OF THE BED AND BREAKFAST FOR**
21 **CONSUMPTION AT THE CATERED EVENT; AND**

22 **2. A GUEST OF THE BED AND BREAKFAST, WHOSE NAME**
23 **AND ADDRESS APPEARS ON THE REGISTRY OF THE ESTABLISHMENT, TO BRING**
24 **PERSONAL ALCOHOLIC BEVERAGES ONTO THE PREMISES FOR ON-PREMISES**
25 **CONSUMPTION DURING THE HOURS AND DAYS AS SET OUT UNDER SUBSECTION (E)**
26 **OF THIS SECTION.**

27 **(II) THE LICENSE HOLDER MAY NOT SELL ALCOHOLIC**
28 **BEVERAGES AT A CATERED EVENT TO WHICH A PATRON MAY BRING PERSONAL**
29 **ALCOHOLIC BEVERAGES.**

1 **(E) THE LICENSE HOLDER MAY SELL BEER, WINE, AND LIQUOR FOR**
2 **ON-PREMISES CONSUMPTION DURING THE HOURS AND DAYS AS SET OUT FOR A**
3 **CLASS B BEER, WINE, AND LIQUOR LICENSE UNDER § 15-2004 OF THIS TITLE.**

4 **(F) EXCEPT DURING CATERED EVENTS THAT MEET THE REQUIREMENTS**
5 **UNDER SUBSECTION (D) OF THIS SECTION, THE LICENSE DOES NOT AUTHORIZE THE**
6 **SALE OF BEER, WINE, AND LIQUOR TO AN INDIVIDUAL WHO:**

7 **(1) IS NOT A GUEST OF THE BED AND BREAKFAST; OR**

8 **(2) IS REGISTERED AS A GUEST AT THE BED AND BREAKFAST ONLY TO**
9 **OBTAIN BEER, WINE, AND LIQUOR.**

10 **(G) (1) A BED AND BREAKFAST MAY NOT BE OPERATED ONLY TO SELL OR**
11 **PROVIDE BEER, WINE, AND LIQUOR.**

12 **(2) IF THE BED AND BREAKFAST ENDS OPERATIONS AS A BED AND**
13 **BREAKFAST:**

14 **(I) THE LICENSE IS VOID; AND**

15 **(II) THE LICENSE HOLDER SHALL RETURN THE LICENSE TO THE**
16 **BOARD.**

17 **(H) THIS SECTION MAY NOT BE CONSTRUED TO APPLY TO A PERMANENT**
18 **RESIDENT ON THE PREMISES OR TO GUESTS OF THE PERMANENT RESIDENT.**

19 **(I) THE LICENSE HOLDER SHALL:**

20 **(1) MAINTAIN RECORDS OF ALL CATERED EVENTS, ON-PREMISES AND**
21 **OFF-PREMISES, WHERE ALCOHOLIC BEVERAGES ARE SERVED; AND**

22 **(2) MAKE THE RECORDS REQUIRED UNDER PARAGRAPH (1) OF THIS**
23 **SUBSECTION AVAILABLE ON REQUEST TO THE BOARD OR TO THE COMPTROLLER.**

24 **(J) THE ANNUAL LICENSE FEE IS \$500.**

25 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July
26 1, 2018.