

Department of Legislative Services
Maryland General Assembly
2018 Session

FISCAL AND POLICY NOTE
Third Reader

House Bill 1320
Economic Matters

(Delegate Corderman)

Education, Health, and Environmental Affairs

Washington County - Alcoholic Beverages - Per Diem Licenses

This bill repeals the Class C per diem beer, Class C per diem beer and wine, and Sunday picnic alcoholic beverages licenses in Washington County and alters provisions relating to the Class C per diem beer, wine, and liquor license. **The bill takes effect July 1, 2018.**

Fiscal Summary

State Effect: None.

Local Effect: Potential minimal increase in revenues from increased license fees. Washington County can handle any enforcement activity with existing resources.

Small Business Effect: Minimal.

Analysis

Bill Summary:

Class C Per Diem Beer, Wine, and Liquor License

The bill authorizes the holder of a Class C per diem beer, wine, and liquor license to sell or serve beer, wine, or liquor for on-premises consumption during an event that requires an admission fee, a ticket, or a donation on Monday through Saturday, from 10 a.m. to 2 a.m. the following day; or on Sunday, from noon to midnight. A separate per diem license is required for each day of a multiple day event, but the license may not be issued for more than seven consecutive days. The Washington County Board of License

Commissioners may issue multiple licenses to a single applicant. The bill increases the license fee from \$30 per day to \$100 per day.

The Class C per diem beer, wine, and liquor license may be issued to a corporation, a society, an organization, an association, or any other entity that does not have an annual on-sale beer, wine, and liquor license and has nonprofit status or a federal identification number.

An applicant for the license must submit an application and provide proof of nonprofit status or a federal identification number. The license must be applied for and issued to three individuals affiliated with the applicant, each of whom must (1) appear in person to present proper qualifications at the time the application is filed; (2) be at least 21 years old; and (3) be a U.S. citizen and registered voter in the county. At least one of the applicants must have been a resident of the county for the two years immediately before filing the application.

A license holder must distribute a wristband to each individual who is at least 21 years old at the event for which the license is issued and may not serve beer, wine, or liquor to an individual who does not wear a wristband. At all times during the event, the license holder must ensure that (1) one board certified crowd control manager who has obtained a crowd control training certificate is on the licensed premises for every 250 individuals present and (2) one individual who has completed a certified alcohol awareness program is on the licensed premises.

Alcoholic beverages sold under the license must be purchased by the license holder from a licensed wholesaler or retail dealer, and may not be donated. Within 30 days after an event, the license holder must submit to the board a signed and notarized financial statement showing the total amount of proceeds from the event and the disbursement of the proceeds.

Current Law:

Class C Per Diem Beer, Wine, and Liquor License: The board may issue the license to a club that has an annual on-sale beer, wine, and liquor license. The license holder may sell beer, wine, and liquor at a place other than the license holder's regular place of business. The board may not issue the license for more than five consecutive days. The license fee is \$30 per day.

Class C Per Diem Beer and Class C Per Diem Beer and Wine Licenses: Both licenses entitle the license holder to exercise any of the privileges conferred by the respective class of license:

- for the use of a person holding an entertainment event that is conducted by a club;
- at the place described in the license; and
- for a period not exceeding seven consecutive days.

The license fee is \$15 per day for the Class C per diem beer license and \$25 per day for the Class C per diem beer and wine license.

Sunday Picnic License: The picnic license authorizes a club owner to sell beer at a place other than the club owner's regular place of business and may be exercised only on Sunday between noon and midnight. The license fee is \$15 per day.

Additional Information

Prior Introductions: None.

Cross File: SB 322 (Washington County Senators) - Education, Health, and Environmental Affairs.

Information Source(s): Washington County; Department of Legislative Services

Fiscal Note History: First Reader - February 16, 2018
nb/tso Third Reader - March 13, 2018

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