

HOUSE BILL 723

A2

9lr1507
CF SB 547

By: **Delegate Beitzel**

Introduced and read first time: February 8, 2019

Assigned to: Economic Matters

Committee Report: Favorable

House action: Adopted

Read second time: March 12, 2019

CHAPTER _____

1 AN ACT concerning

2 **Garrett County – Alcoholic Beverages – Revisions**

3 FOR the purpose of reclassifying a draft beer license to be a draft beer permit in Garrett
4 County; altering a certain hearing requirement for the issuance of a certain license
5 in Garrett County; authorizing certain license holders to cater functions on their
6 premises; repealing a prohibition of the issuance of certain licenses in Garrett
7 County to applicants who had not met certain standards; repealing a prohibition of
8 the issuance of certain licenses in Garrett County to a person that holds an
9 out-of-state alcoholic beverages license; making certain conforming changes; and
10 generally relating to alcoholic beverage licensing in Garrett County.

11 BY repealing and reenacting, without amendments,
12 Article – Alcoholic Beverages
13 Section 21-102 and 21-1309(a)
14 Annotated Code of Maryland
15 (2016 Volume and 2018 Supplement)

16 BY repealing and reenacting, with amendments,
17 Article – Alcoholic Beverages
18 Section 21-1103, 21-1104, 21-1309(b), 21-1310, 21-1501(b), and 21-1803
19 Annotated Code of Maryland
20 (2016 Volume and 2018 Supplement)

21 BY repealing
22 Article – Alcoholic Beverages

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 Section 21–1502 and 21–1504
2 Annotated Code of Maryland
3 (2016 Volume and 2018 Supplement)

4 BY renumbering
5 Article – Alcoholic Beverages
6 Section 21–1503, 21–1505, 21–1506, and 21–1507, respectively
7 to be Section 21–1502, 21–1503, 21–1504, and 21–1505, respectively
8 Annotated Code of Maryland
9 (2016 Volume and 2018 Supplement)

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 21–102.

14 This title applies only in Garrett County.

15 21–1103.

16 (a) There is a draft beer [license] **PERMIT**.

17 (b) To sell draft beer, a license holder of an establishment for which a license to
18 sell beer has been issued shall obtain a draft beer [license] **PERMIT** from the Board.

19 (c) (1) Except as provided in paragraph (2) of this subsection, the [license]
20 **PERMIT** fees are:

21 (i) \$75 for the issuing fee; and

22 (ii) \$75 for the annual fee.

23 (2) A holder of a Class B–resort license shall pay:

24 (i) \$150 for the annual fee for two facilities;

25 (ii) \$75 for the annual fee for each additional facility; and

26 (iii) an issuing fee for each new draft beer [license] **PERMIT** in an
27 amount equal to the annual fee.

28 (d) A person who violates this section is guilty of a misdemeanor and on conviction
29 is subject to imprisonment not exceeding 1 year or a fine not exceeding \$5,000 or both.

30 21–1104.

1 (a) The Board may issue a refillable container permit for draft beer to a holder of
2 a draft beer [license] PERMIT who also holds any other license except a Class A license or
3 a Class C license.

4 (b) A person who violates this section is guilty of a misdemeanor and on conviction
5 is subject to imprisonment not exceeding 1 year or a fine not exceeding \$5,000 or both.

6 21-1309.

7 (a) The Board may issue a Class C multiple day beer license, beer and wine
8 license, and beer, wine, and liquor license to a club for the following fees and license types:

9 (1) \$50 for a 2-day license;

10 (2) \$150 for a 6-day license; and

11 (3) \$300 for a 12-day license.

12 (b) The Board is not required to hold a hearing before issuing a license under this
13 section if[:

14 (1)] a license holder anticipates attendance of fewer than 500 individuals at
15 an event[; and

16 (2) the Board has approved a license for the license holder in the prior
17 year].

18 21-1310.

19 (a) The Board may issue a multiple event license to a club that qualifies for a
20 Class C multiple day license.

21 (b) The Board may not issue more than one multiple event license to a club in a
22 license year.

23 (c) (1) The Board shall publish a notice for application for the license one time
24 at least 7 days before a license hearing.

25 (2) A license holder shall notify the Board in writing at least 7 days before
26 an event for which the license is to be used.

27 (d) The club for which a multiple event license is issued shall ensure that at least
28 one server who is certified by an approved alcohol awareness program is on the premises
29 when alcoholic beverages are served.

1 **(E) THE CLUB FOR WHICH A MULTIPLE EVENT LICENSE IS ISSUED MAY**
 2 **CATER FUNCTIONS ON THEIR PREMISES.**

3 **[(e)] (F)** The fee for a Class C multiple event license is:

- 4 (1) \$125 for not more than 5 events per year;
- 5 (2) \$250 for not more than 12 events per year;
- 6 (3) \$375 for not more than 18 events per year; and
- 7 (4) \$500 for not more than 24 events per year.

8 21-1501.

9 (b) The following sections of Title 4, Subtitle 2 (“Issuance or Denial of Local
 10 Licenses”) of Division I of this article apply in the county:

11 (1) § 4-202 (“Authority of local licensing boards”), subject to [§§ 21-1502
 12 through 21-1504] **§ 21-1502** of this subtitle;

13 (2) § 4-203 (“Prohibition against issuing multiple licenses to individual or
 14 for use of entity”), subject to [§ 21-1505] **§ 21-1503** of this subtitle and Subtitle 13, Part
 15 III and Subtitle 16, Part II of this title;

16 (3) § 4-204 (“Prohibition against issuing multiple licenses for same
 17 premises”), subject to [§ 21-1505] **§ 21-1503** of this subtitle;

18 (4) § 4-209 (“Hearing”), subject to § 21-1309 of this subtitle; and

19 (5) § 4-213 (“Replacement licenses”), subject to [§ 21-1506] **§ 21-1504** of
 20 this subtitle.

21 **[21-1502.**

22 The Board may not issue a license to an applicant who has not had an established
 23 business for at least 1 year before the application date.]

24 **[21-1504.**

25 The Board may not issue a Class A or Class D beer license, beer and wine license, or
 26 beer, wine, and liquor license to a person that holds an out-of-state alcoholic beverages
 27 license.]

28 21-1803.

1 [Notwithstanding § 21–1504 of this title, the] **THE** Board may renew a Class A or
2 Class D beer license, beer and wine license, or beer, wine, and liquor license originally
3 issued to a holder of an out-of-state alcoholic beverages license.

4 SECTION 2. AND BE IT FURTHER ENACTED, That Section(s) 21–1503, 21–1505,
5 21–1506, and 21–1507, respectively, of Article – Alcoholic Beverages of the Annotated Code
6 of Maryland be renumbered to be Section(s) 21–1502, 21–1503, 21–1504, and 21–1505,
7 respectively.

8 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July
9 1, 2019.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.