

# SENATE BILL 19

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(PRE-FILED)

9lr0796  
CF HB 197

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By: ~~Senator Eckardt~~ Wicomico County Senators

Requested: November 20, 2018

Introduced and read first time: January 9, 2019

Assigned to: Education, Health, and Environmental Affairs

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 6, 2019

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

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

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

19 BY renumbering

20 Article – Alcoholic Beverages

21 Section 32–1001

22 to be Section 32–1001.1

23 Annotated Code of Maryland

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### 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 (2016 Volume and 2018 Supplement)

2 BY repealing and reenacting, without amendments,  
3 Article – Alcoholic Beverages  
4 Section 32–102  
5 Annotated Code of Maryland  
6 (2016 Volume and 2018 Supplement)

7 BY adding to  
8 Article – Alcoholic Beverages  
9 Section 32–1001  
10 Annotated Code of Maryland  
11 (2016 Volume and 2018 Supplement)

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
13 That Section(s) 32–1001 of Article – Alcoholic Beverages of the Annotated Code of Maryland  
14 be renumbered to be Section(s) 32–1001.1.

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

17 **Article – Alcoholic Beverages**

18 32–102.

19 This title applies only in Wicomico County.

20 **32–1001.**

21 **(A) THERE IS A CLASS B–BB (BED AND BREAKFAST) BEER AND WINE**  
22 **LICENSE.**

23 **(B) THE BOARD MAY ISSUE THE LICENSE TO A LICENSE HOLDER WHO IS**  
24 **APPROVED BY THE APPROPRIATE LOCAL GOVERNMENTAL UNIT TO OPERATE A BED**  
25 **AND BREAKFAST THAT:**

26 **(1) PROVIDES SERVICES ORDINARILY PROVIDED BY A BED AND**  
27 **BREAKFAST;**

28 **(2) HAS AT LEAST ONE ROOM BUT NOT MORE THAN 10 ROOMS, EACH**  
29 **WITH SLEEPING ACCOMMODATIONS, EXCLUDING RESIDENT MANAGEMENT**  
30 **QUARTERS, THAT THE PUBLIC FOR CONSIDERATION MAY USE FOR A SPECIFIED**  
31 **TIME; AND**

32 **(3) HAS A KITCHEN FACILITY THAT HAS BEEN APPROVED BY THE**

1 APPROPRIATE LOCAL GOVERNMENTAL UNIT.

2 (C) THE LICENSE AUTHORIZES THE LICENSE HOLDER TO SELL BEER AND  
3 WINE TO A GUEST IF:

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

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

8 (D) (1) THE LICENSE AUTHORIZES THE LICENSE HOLDER TO SELL BEER  
9 AND WINE FOR ON-PREMISES CONSUMPTION TO A GUEST OF A CATERED EVENT AT  
10 THE BED AND BREAKFAST IF:

11 (I) 1. THE LICENSE HOLDER IS UNDER CONTRACT TO CATER  
12 THE EVENT;

13 2. THE LICENSE HOLDER CATERES THE EVENT; AND

14 3. FOOD IS SERVED AT THE CATERED EVENT; OR

15 (II) THE LICENSE HOLDER HOSTS AN EVENT FOR WHICH  
16 TICKETS ARE SOLD IN ADVANCE.

17 (2) THE LICENSE AUTHORIZES THE LICENSE HOLDER TO ALLOW A  
18 GUEST OF THE BED AND BREAKFAST, WHOSE NAME AND ADDRESS APPEAR ON THE  
19 REGISTRY OF THE ESTABLISHMENT, TO BRING PERSONAL ALCOHOLIC BEVERAGES  
20 ONTO THE PREMISES FOR ON-PREMISES CONSUMPTION DURING THE HOURS AND  
21 DAYS AS SET OUT UNDER SUBSECTION (E) OF THIS SECTION.

22 (E) THE LICENSE HOLDER MAY SELL BEER AND WINE FOR ON-PREMISES  
23 CONSUMPTION ON MONDAY THROUGH SUNDAY, FROM 7 A.M. TO MIDNIGHT.

24 (F) EXCEPT DURING CATERED EVENTS THAT MEET THE REQUIREMENTS  
25 UNDER SUBSECTION (D) OF THIS SECTION OR TICKETED EVENTS HOSTED BY THE  
26 LICENSE HOLDER, THE LICENSE DOES NOT AUTHORIZE THE SALE OF BEER AND WINE  
27 TO AN INDIVIDUAL WHO:

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

29 (2) IS REGISTERED AS A GUEST AT THE BED AND BREAKFAST ONLY TO  
30 OBTAIN BEER AND WINE.

1 (G) (1) A BED AND BREAKFAST MAY NOT BE OPERATED ONLY TO SELL OR  
2 PROVIDE BEER AND WINE.

3 (2) IF THE BED AND BREAKFAST ENDS OPERATIONS AS A BED AND  
4 BREAKFAST:

5 (I) THE LICENSE IS VOID; AND

6 (II) THE LICENSE HOLDER SHALL RETURN THE LICENSE TO THE  
7 BOARD.

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

10 (I) THE LICENSE HOLDER SHALL:

11 (1) MAINTAIN RECORDS OF ALL CATERED EVENTS WHERE  
12 ALCOHOLIC BEVERAGES ARE SERVED; AND

13 (2) MAKE THE RECORDS REQUIRED UNDER ITEM (1) OF THIS  
14 SUBSECTION AVAILABLE ON REQUEST TO THE BOARD OR TO THE COMPTROLLER.

15 (J) THE ANNUAL LICENSE FEE IS \$300.

16 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
17 1, 2019.

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.