

SENATE BILL 792

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9lr1751
CF 9lr3026

By: **Senator Hayes**

Introduced and read first time: February 4, 2019

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Baltimore City – Alcoholic Beverages – Related Event Promoter’s Permit**

3 FOR the purpose of creating a related event promoter’s permit in Baltimore City;
4 authorizing the Baltimore City Board of License Commissioners to issue a related
5 event promoter’s permit to a certain applicant who has submitted an application to
6 the Board not less than a certain number of days before a certain date; requiring an
7 applicant to take certain actions before being granted the related event promoter’s
8 permit; requiring certain license holders to sign and date a certain application and
9 pay a certain fee; specifying that an individual who applies for and obtains a related
10 event promoter’s permit is not required to be a resident of or a registered voter in
11 Baltimore City; requiring the Board to take a certain action within a certain time
12 period; specifying that the permit authorizes the holder to conduct a related event;
13 requiring a related event to be held on certain premises; specifying the duration of a
14 permit; specifying a certain application fee and permit fee; establishing certain
15 penalties; defining certain terms; providing for the termination of this Act; and
16 generally relating to related event promoter’s permits in Baltimore City.

17 BY repealing and reenacting, without amendments,
18 Article – Alcoholic Beverages
19 Section 12–102
20 Annotated Code of Maryland
21 (2016 Volume and 2018 Supplement)

22 BY adding to
23 Article – Alcoholic Beverages
24 Section 12–1102.2
25 Annotated Code of Maryland
26 (2016 Volume and 2018 Supplement)

27 BY repealing and reenacting, with amendments,
28 Article – Alcoholic Beverages

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Section 12–2802
2 Annotated Code of Maryland
3 (2016 Volume and 2018 Supplement)

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

6 **Article – Alcoholic Beverages**

7 12–102.

8 This title applies only in Baltimore City.

9 **12–1102.2.**

10 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
11 INDICATED.

12 (2) “CIAA BASKETBALL TOURNAMENT” MEANS THE ANNUAL
13 BASKETBALL TOURNAMENT OF THE CENTRAL INTERCOLLEGIATE ATHLETIC
14 ASSOCIATION.

15 (3) (I) “RELATED EVENT” MEANS AN EVENT IN WHICH:

16 1. A LICENSE HOLDER PARTICIPATES IN A
17 COORDINATED PROMOTION WITH A THIRD–PARTY PROMOTER TO SELL OR PROVIDE
18 ALCOHOLIC BEVERAGES DURING A SPECIFIED TIME; AND

19 2. AT LEAST 75 INDIVIDUALS ARE REASONABLY
20 ANTICIPATED TO PARTICIPATE.

21 (II) “RELATED EVENT” INCLUDES A CONCERT, AN
22 ENTERTAINMENT EVENT, A HAPPY HOUR, OR A PARTY.

23 (4) “RELATED EVENT PROMOTER” MEANS AN INDIVIDUAL, A
24 FOR–PROFIT ORGANIZATION, OR A NONPROFIT ORGANIZATION THAT PROMOTES A
25 SOCIAL EVENT AROUND THE SAME TIME AND LOCATION AS THE CIAA BASKETBALL
26 TOURNAMENT.

27 (B) THERE IS A RELATED EVENT PROMOTER’S PERMIT.

28 (C) A RELATED EVENT PROMOTER OR A PARTICIPATING LICENSE HOLDER
29 ON BEHALF OF A RELATED EVENT PROMOTER SHALL APPLY FOR A PERMIT FROM

1 THE BOARD BEFORE THE RELATED EVENT PROMOTER MAY PUBLICIZE, SELL
2 TICKETS FOR, ORGANIZE, OPERATE, PRODUCE, OR STAGE A RELATED EVENT.

3 (D) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION,
4 THE BOARD MAY GRANT THE PERMIT TO AN APPLICANT WHO SUBMITS AN
5 APPLICATION TO THE BOARD AS PROVIDED UNDER TITLE 4 OF THIS ARTICLE AT
6 LEAST 90 DAYS BEFORE THE DATE OF THE RELATED EVENT.

7 (2) BEFORE BEING GRANTED THE PERMIT, AN APPLICANT SHALL:

8 (I) OBTAIN WRITTEN CONSENT FROM A DESIGNEE OF VISIT
9 BALTIMORE;

10 (II) IF REQUIRED BASED ON THE TYPE OF PREMISES TO BE
11 USED:

12 1. OBTAIN A SPECIAL EVENT PERMIT FROM THE
13 BALTIMORE CITY DEPARTMENT OF TRANSPORTATION; AND

14 2. PROVIDE A COPY OF THE SPECIAL EVENT PERMIT TO
15 THE BOARD; AND

16 (III) PROVIDE A COMPLETED APPLICATION THAT:

17 1. IS DATED AND NOTARIZED, AND SIGNED BY EACH
18 LICENSE HOLDER THAT WILL PARTICIPATE IN THE RELATED EVENT;

19 2. LISTS EACH PREMISES FOR WHICH THE RELATED
20 EVENT WILL BE HELD; AND

21 3. IS ACCOMPANIED BY ANY OTHER DOCUMENT THAT
22 THE BOARD REQUIRES.

23 (3) AN INDIVIDUAL WHO APPLIES FOR AND IS ISSUED THE PERMIT IS
24 NOT REQUIRED TO BE A RESIDENT OF OR A REGISTERED VOTER IN BALTIMORE
25 CITY.

26 (4) WITHIN 14 DAYS AFTER RECEIVING AN APPLICATION, THE BOARD
27 SHALL GRANT OR DENY THE PERMIT OR REQUEST MORE INFORMATION FROM THE
28 APPLICANT.

29 (5) A PERMIT MAY NOT BE ALTERED WITHIN 30 DAYS BEFORE THE
30 RELATED EVENT IS SCHEDULED TO TAKE PLACE.

1 **(E) THE PERMIT AUTHORIZES THE RELATED EVENT PROMOTER AND**
2 **PARTICIPATING LICENSE HOLDER TO CONDUCT A RELATED EVENT.**

3 **(F) THE PERMIT FOR EACH RELATED EVENT MAY BE IN EFFECT FOR THE**
4 **TIME STATED ON THE SPECIAL EVENT PERMIT REQUIRED UNDER SUBSECTION**
5 **(D)(2) OF THIS SECTION.**

6 **(G) THE BOARD MAY ADOPT REGULATIONS ESTABLISHING THE**
7 **REQUIREMENTS FOR:**

8 **(1) CONDUCTING A RELATED EVENT, INCLUDING HEALTH AND**
9 **SAFETY STANDARDS TO BE MET BY THE RELATED EVENT PROMOTER AND**
10 **PARTICIPATING LICENSE HOLDER; AND**

11 **(2) PROVIDING PUBLIC NOTICE OF A RELATED EVENT AT THE**
12 **PREMISES OF PARTICIPATING LICENSE HOLDERS BY THE RELATED EVENT**
13 **PROMOTER OR PARTICIPATING LICENSE HOLDERS.**

14 **(H) (1) THE APPLICATION FEE IS \$50, PAYABLE ON THE SUBMISSION OF**
15 **THE APPLICATION.**

16 **(2) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE**
17 **PERMIT FEE, PAYABLE WHEN THE PERMIT IS GRANTED, IS:**

18 **1. \$120; AND**

19 **2. \$100 FOR EACH LICENSE HOLDER THAT**
20 **PARTICIPATES IN THE RELATED EVENT.**

21 **(II) ON RECEIPT OF AN APPLICATION, THE BOARD MAY REDUCE**
22 **THE PERMIT FEE BY NOT MORE THAN 50% IF THE APPLICANT SHOWS THAT THE**
23 **PROCEEDS FROM THE RELATED EVENT AFTER ADMINISTRATIVE EXPENSES ARE**
24 **DEDUCTED SHALL BE USED TO BENEFIT AN ORGANIZATION THAT IS EXEMPT FROM**
25 **TAXATION UNDER § 501(C)(3) OF THE INTERNAL REVENUE CODE.**

26 12-2802.

27 (a) For a violation that is cause for suspension of a license, the Board may:

28 (1) except as provided in subsections (b) and (c) of this section, for a first
29 offense, impose a fine not exceeding \$500 or suspend the license or both; or

1 (2) except as provided in subsection (c) of this section, for each subsequent
2 offense, impose a fine not exceeding \$3,000 or suspend the license or both.

3 (b) For a first offense of selling alcoholic beverages to an individual under the age
4 of 21 years, the Board may impose a fine not exceeding \$1,000 or suspend the license or
5 both.

6 (c) (1) For the offense of publicizing, selling tickets for, organizing, operating,
7 producing, facilitating, or staging a pub crawl with the knowledge or a reason to know that
8 a pub crawl promoter's permit required under § 12-1101.1 of this title has not been
9 obtained, the Board shall impose a fine of not less than \$1,000 and not more than \$3,000
10 or suspend the license or both.

11 (2) A person who violates § 12-1101.1 of this title may not be granted a
12 promoter's permit for at least 1 year.

13 **(D) (1) FOR THE OFFENSE OF PUBLICIZING, SELLING TICKETS FOR,
14 ORGANIZING, OPERATING, PRODUCING, FACILITATING, OR STAGING A RELATED
15 EVENT WITH THE KNOWLEDGE OR A REASON TO KNOW THAT A RELATED EVENT
16 PROMOTER'S PERMIT REQUIRED UNDER § 12-1102.2 OF THIS TITLE HAS NOT BEEN
17 OBTAINED, THE BOARD SHALL IMPOSE A FINE OF NOT LESS THAN \$1,000 AND NOT
18 MORE THAN \$3,000 OR SUSPEND THE LICENSE OR BOTH.**

19 **(2) A PERSON WHO VIOLATES § 12-1102.2 OF THIS TITLE MAY NOT BE
20 GRANTED A RELATED EVENT PROMOTER'S PERMIT FOR AT LEAST 1 YEAR.**

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
22 1, 2019. It shall remain effective for a period of 4 years and, at the end of June 30, 2023,
23 this Act, with no further action required by the General Assembly, shall be abrogated and
24 of no further force and effect.