

SENATE BILL 793

A2

(11r2798)

ENROLLED BILL

— *Education, Health, and Environmental Affairs/Economic Matters* —

Introduced by **Senator Young**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o'clock, _____ M.

President.

CHAPTER _____

1 AN ACT concerning

2 **Frederick County – Alcoholic Beverages – Consumption Permits**

3 FOR the purpose of establishing a beer and wine consumption permit and a beer, wine, and
4 liquor consumption permit in Frederick County; authorizing the Board of License
5 Commissioners for Frederick County to issue the permits to certain holders of Class
6 A alcoholic beverages licenses; authorizing the holders to allow certain on–premises
7 consumption of alcohol; requiring an applicant for certain permits to submit a certain
8 application to the Board; authorizing the Board to issue certain permits under
9 certain circumstances; providing for the renewal of certain permits; providing for the
10 amount of a certain alcoholic beverage an individual may consume under certain
11 circumstances; establishing the scope of the permits; prohibiting a permit holder
12 from allowing an individual to carry an open container from the licensed premises;
13 prohibiting a permit holder from serving a certain alcoholic beverage from a
14 drive–through window; establishing fees for the permits; and generally relating to
15 alcoholic beverages in Frederick County.

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.

Italics indicate opposite chamber / conference committee amendments.



1 BY repealing and reenacting, without amendments,
2 Article – Alcoholic Beverages
3 Section 20–102 and 20–207
4 Annotated Code of Maryland
5 (2016 Volume and 2020 Supplement)

6 BY adding to
7 Article – Alcoholic Beverages
8 Section 20–1102.1 and 20–1102.2
9 Annotated Code of Maryland
10 (2016 Volume and 2020 Supplement)

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

13 **Article – Alcoholic Beverages**

14 20–102.

15 This title applies only in Frederick County.

16 20–207.

17 The Board may adopt regulations to carry out this article.

18 **20–1102.1.**

19 **(A) THERE IS A BEER AND WINE CONSUMPTION (BWC) PERMIT.**

20 **(B) THE BOARD MAY ISSUE THE PERMIT TO THE HOLDER OF A CLASS A**
21 **LICENSE.**

22 **(C) THE PERMIT AUTHORIZES THE HOLDER TO ALLOW FOR ON–PREMISES**
23 **CONSUMPTION OF BEER AND WINE.**

24 **(D) (1) AN APPLICANT FOR THE PERMIT SHALL SUBMIT TO THE BOARD**
25 **AN APPLICATION ON A FORM THAT THE BOARD PROVIDES.**

26 **(2) THE BOARD MAY ISSUE THE PERMIT WITHOUT A PUBLIC**
27 **HEARING.**

28 **(3) IF AN INITIAL PERMIT APPLICATION IS DENIED, THE APPLICANT**
29 **MAY REQUEST A PUBLIC HEARING BEFORE THE BOARD.**

1 **(4) RENEWAL OF THE PERMIT MAY BE MADE WHEN THE LICENSE**
2 **HOLDER'S CLASS A LICENSE IS RENEWED.**

3 **(E) AN INDIVIDUAL MAY CONSUME BEER OR WINE COVERED BY THE PERMIT**
4 **IN A QUANTITY NOT EXCEEDING:**

5 **(1) 12 TOTAL OUNCES OF BEER; OR**

6 **(2) 6 TOTAL OUNCES OF WINE.**

7 **(F) (1) THE PERMIT AUTHORIZES THE CONSUMPTION OF BEER AND WINE**
8 **ONLY ON THE LICENSED PREMISES OF THE HOLDER.**

9 **(2) THE PERMIT HOLDER MAY NOT ALLOW AN OPEN CONTAINER TO**
10 **BE TAKEN FROM THE LICENSED PREMISES.**

11 **(3) THE PERMIT HOLDER MAY NOT SERVE OPEN ALCOHOLIC**
12 **BEVERAGES FROM A DRIVE-THROUGH WINDOW.**

13 **(G) THE ANNUAL PERMIT FEE IS \$200.**

14 **20-1102.2.**

15 **(A) THERE IS A BEER, WINE, AND LIQUOR CONSUMPTION (BWLC) PERMIT.**

16 **(B) THE BOARD MAY ISSUE THE PERMIT TO THE HOLDER OF A CLASS A**
17 **LICENSE.**

18 **(C) THE PERMIT AUTHORIZES THE HOLDER TO ALLOW FOR ON-PREMISES**
19 **CONSUMPTION OF BEER, WINE, AND LIQUOR.**

20 **(D) (1) AN APPLICANT FOR THE PERMIT SHALL SUBMIT TO THE BOARD**
21 **AN APPLICATION ON A FORM THAT THE BOARD PROVIDES.**

22 **(2) THE BOARD MAY ISSUE THE PERMIT WITHOUT A PUBLIC**
23 **HEARING.**

24 **(3) IF AN INITIAL PERMIT APPLICATION IS DENIED, THE APPLICANT**
25 **MAY REQUEST A PUBLIC HEARING BEFORE THE BOARD.**

26 **(4) RENEWAL OF THE PERMIT MAY BE MADE WHEN THE LICENSE**
27 **HOLDER'S CLASS A LICENSE IS RENEWED.**

1 (E) AN INDIVIDUAL MAY CONSUME BEER, WINE, OR LIQUOR COVERED BY
2 THE PERMIT IN A QUANTITY NOT EXCEEDING:

3 (1) 12 TOTAL OUNCES OF BEER;

4 (2) 6 TOTAL OUNCES OF WINE; OR

5 (3) ~~0.5~~ 1.5 TOTAL OUNCES OF LIQUOR, WHICH MAY BE MIXED WITH
6 OTHER NONALCOHOLIC BEVERAGES.

7 (F) (1) THE PERMIT AUTHORIZES THE CONSUMPTION OF BEER, WINE,
8 AND LIQUOR ONLY ON THE LICENSED PREMISES OF THE HOLDER.

9 (2) THE PERMIT HOLDER MAY NOT ALLOW AN OPEN CONTAINER TO
10 BE TAKEN FROM THE LICENSED PREMISES.

11 (3) THE PERMIT HOLDER MAY NOT SERVE OPEN ALCOHOLIC
12 BEVERAGES FROM A DRIVE-THROUGH WINDOW.

13 (G) THE ANNUAL PERMIT FEE IS ~~\$200~~ \$400.

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
15 1, 2021.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.