

Chapter 662

(House Bill 1155)

AN ACT concerning

Howard County – Alcoholic Beverages – Delivery

Ho. Co. 01–21

FOR the purpose of authorizing a holder of a Class A alcoholic beverages license in Howard County to deliver alcoholic beverages in the county; authorizing certain employees of a license holder to deliver alcoholic beverages; requiring that an employee making certain deliveries be of a certain age; requiring an individual receiving a certain alcoholic beverages delivery to provide certain proof of age; providing for the manner in which an individual receiving a delivery of alcoholic beverages provides proof of age; requiring the Board of License Commissioners for Howard County to approve a certain certification; requiring the purchaser of certain alcoholic beverages or a certain designated individual of a certain age to be present to receive a delivery of alcoholic beverages; and generally relating to alcoholic beverages in Howard County.

BY repealing and reenacting, without amendments,
Article – Alcoholic Beverages
Section 4–507, 23–102, and 23–1901(b)
Annotated Code of Maryland
(2016 Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,
Article – Alcoholic Beverages
Section 23–1904
Annotated Code of Maryland
(2016 Volume and 2020 Supplement)

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

Article – Alcoholic Beverages

4–507.

(a) This section does not apply to:

(1) the delivery of wine from a direct wine shipper to a consumer using a common carrier in accordance with Title 2, Subtitle 1, Part V of this article; or

(2) the holder of a common carrier permit in the course of delivering directly shipped wine in accordance with Title 2, Subtitle 1, Part V of this article.

(b) Retail delivery to a purchaser of alcoholic beverages is prohibited unless:

(1) a retail license holder obtains a letter of authorization from the local licensing board to make deliveries; and

(2) the delivery is made from the licensed premises by the retail license holder or an employee of the retail license holder.

23–102.

This title applies only in Howard County.

23–1901.

(b) The following sections of Title 4, Subtitle 5 (“Conduct of Local License Holders”) of Division I of this article apply in the county:

(1) § 4–504 (“Employment of underage individuals”), subject to § 23–1902 of this subtitle;

(2) § 4–505 (“Alcohol awareness program”), subject to § 23–1903 of this subtitle; and

(3) § 4–507 (“Retail delivery of alcoholic beverages”), subject to § 23–1904 of this subtitle.

23–1904.

(A) (1) THE HOLDER OF A CLASS A LICENSE OR AN EMPLOYEE OF THE LICENSE HOLDER MAY DELIVER ALCOHOLIC BEVERAGES ONLY WITHIN THE COUNTY.

(2) AN EMPLOYEE MAKING A DELIVERY SHALL MEET THE AGE REQUIREMENTS OF § 23–1902 OF THIS SUBTITLE.

(B) THE DELIVERER AND INDIVIDUAL RECEIVING THE DELIVERY SHALL, AT THE TIME OF DELIVERY, ENDORSE A DELIVERY FORM THAT THE BOARD APPROVES, CERTIFYING THAT:

(1) THE INDIVIDUAL RECEIVING THE DELIVERY CLAIMED TO BE AT LEAST 21 YEARS OLD AND THE CLAIM WAS SUPPORTED BY DOCUMENTARY EVIDENCE;

(2) THE INDIVIDUAL RECEIVING THE DELIVERY KNEW THAT IT IS A CRIMINAL OFFENSE FOR ALCOHOLIC BEVERAGES TO BE GIVEN TO AN INDIVIDUAL UNDER THE AGE OF 21 YEARS; AND

(3) THE DELIVERER EXAMINED THE RECIPIENT'S IDENTIFICATION.

(C) A license holder **OR AN EMPLOYEE OF A LICENSE HOLDER** may not make a retail delivery of alcoholic beverages unless the purchaser:

(1) OR ANOTHER INDIVIDUAL AT LEAST 21 YEARS OLD DESIGNATED BY THE PURCHASER, is physically present [on the licensed premises when the purchaser orders the alcoholic beverages] **TO RECEIVE THE ALCOHOLIC BEVERAGES AT THE TIME AND PLACE OF DELIVERY;** and

(2) pays for the purchase at the time of the order.

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

Enacted under Article II, § 17(c) of the Maryland Constitution, May 30, 2021.