

Chapter 561

(House Bill 1242)

AN ACT concerning

Frederick County – Alcoholic Beverages – Consumption Permits

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

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

BY adding to
Article – Alcoholic Beverages
Section 20–1102.1 and 20–1102.2
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

20–102.

This title applies only in Frederick County.

20–207.

The Board may adopt regulations to carry out this article.

20-1102.1.

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

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

(C) THE PERMIT AUTHORIZES THE HOLDER TO ALLOW FOR ON-PREMISES CONSUMPTION OF BEER AND WINE.

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

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

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

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

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

(1) 12 TOTAL OUNCES OF BEER; OR

(2) 6 TOTAL OUNCES OF WINE.

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

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

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

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

20-1102.2.

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

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

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

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

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

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

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

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

(1) 12 TOTAL OUNCES OF BEER;

(2) 6 TOTAL OUNCES OF WINE; OR

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

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

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

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

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

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.