

SENATE BILL 589

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By: **Senator Hayes**

Introduced and read first time: February 6, 2023

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

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

3 FOR the purpose of clarifying that the defined term “related event” as it applies to a related
4 event promoter’s permit in Baltimore City includes events for which tickets are sold
5 in advance or at the door or cover charges are imposed; reducing the number of days
6 within which a person must apply for the permit, the Board of License
7 Commissioners for Baltimore City must take certain actions relating to the permit,
8 and alterations may be made to the permit; altering the standards for determining
9 the permit fee; and generally relating to related event promoter’s permits in
10 Baltimore City.

11 BY repealing and reenacting, without amendments,
12 Article – Alcoholic Beverages
13 Section 12–102
14 Annotated Code of Maryland
15 (2016 Volume and 2022 Supplement)

16 BY repealing and reenacting, with amendments,
17 Article – Alcoholic Beverages
18 Section 12–1102.2 and 12–2802
19 Annotated Code of Maryland
20 (2016 Volume and 2022 Supplement)

21 BY repealing and reenacting, with amendments,
22 Chapter 764 of the Acts of the General Assembly of 2019
23 Section 2

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

26 **Article – Alcoholic Beverages**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 12-102.

2 This title applies only in Baltimore City.

3 12-1102.2.

4 (a) (1) In this section the following words have the meanings indicated.

5 (2) "CIAA Basketball Tournament" means the annual basketball
6 tournament of the Central Intercollegiate Athletic Association.

7 (3) (i) "Related event" means an event in which:

8 1. a license holder participates in a coordinated promotion
9 with a third-party promoter to sell or provide alcoholic beverages during a specified time;
10 and

11 2. at least 75 individuals are reasonably anticipated to
12 participate.

13 (ii) "Related event" includes an event for which tickets are sold to
14 the public, **EITHER IN ADVANCE OR AT THE DOOR, OR A COVER CHARGE IS IMPOSED,**
15 including a concert, an entertainment event, a happy hour, or a party.

16 (4) "Related event promoter" means an individual, a for-profit
17 organization, or a nonprofit organization that promotes a social event related to the CIAA
18 Basketball Tournament around the same time and location as the CIAA Basketball
19 Tournament.

20 (b) There is a related event promoter's permit.

21 (c) (1) A related event promoter or a participating license holder on behalf of
22 a related event promoter shall apply for a permit from the Board before the related event
23 promoter may publicize, sell tickets for, organize, operate, produce, or stage a related event.

24 (2) A holder of a State caterer's license shall obtain a Class C per diem beer,
25 beer and wine, or beer, wine, and liquor license from the Board before the holder may act
26 as a participating license holder at a related event.

27 (d) (1) Except as provided in paragraph (2) of this subsection, the Board may
28 grant the permit to an applicant who submits an application to the Board as provided under
29 Title 4 of this article at least **[90] 30** days before the date of the related event.

30 (2) Before being granted the permit, an applicant shall:

31 (i) obtain written consent from a designee of Visit Baltimore;

1 (ii) if required based on the type of premises to be used:

2 1. obtain a special event permit from the Baltimore City
3 Department of Transportation; and

4 2. provide a copy of the special event permit to the Board;
5 and

6 (iii) provide a completed application that:

7 1. is dated and notarized, and signed by each license holder
8 that will participate in the related event;

9 2. lists each premises for which the related event will be held;
10 and

11 3. is accompanied by any other document that the Board
12 requires.

13 (3) An individual who applies for and is issued the permit is not required
14 to be a resident of or a registered voter in Baltimore City.

15 (4) Within [14] 7 days after receiving an application, the Board shall grant
16 or deny the permit or request more information from the applicant.

17 (5) A permit may not be altered within [30] 14 days before the related
18 event is scheduled to take place.

19 (e) The permit authorizes the related event promoter and participating license
20 holder to conduct a related event.

21 (f) The permit for each related event may be in effect for the time stated on the
22 special event permit required under subsection (d)(2) of this section.

23 (g) The Board may adopt regulations establishing the requirements for:

24 (1) conducting a related event, including health and safety standards to be
25 met by the related event promoter and participating license holder; and

26 (2) providing public notice of a related event at the premises of
27 participating license holders by the related event promoter or participating license holders.

28 (h) (1) The application fee is \$50, payable on the submission of the application.

29 (2) The permit fee, payable when the permit is granted, is:

1 (i) \$500, if [75 to 299 individuals are reasonably anticipated to
2 participate] **THE BALTIMORE CITY FIRE MARSHAL HAS DETERMINED THE MAXIMUM**
3 **CAPACITY FOR THE PROPOSED LOCATION IS LESS THAN 300 PERSONS;** or

4 (ii) \$1,500, if [300 or more individuals are reasonably anticipated to
5 participate] **THE BALTIMORE CITY FIRE MARSHAL HAS DETERMINED THE MAXIMUM**
6 **CAPACITY FOR THE PROPOSED LOCATION IS 300 OR MORE PERSONS.**

7 12-2802.

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

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

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

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

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

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

23 (d) (1) For the offense of publicizing, selling tickets **OR IMPOSING A COVER**
24 **CHARGE** for, organizing, operating, producing, facilitating, or staging a related event with
25 the knowledge or a reason to know that a related event promoter's permit required under
26 § 12-1102.2 of this title has not been obtained, the Board shall impose a fine of not less
27 than \$1,000 and not more than \$3,000 or suspend the license or both.

28 (2) A person who violates § 12-1102.2 of this title may not be granted a
29 related event promoter's permit for at least 1 year.

30 (e) For the offense by a holder of a State caterer's license of participating in a
31 CIAA Basketball Tournament related event without first obtaining a Class C per diem beer,
32 beer and wine, or beer, wine, and liquor license required under § 12-1102.2 of this title, the
33 Comptroller shall impose a fine of not less than \$1,000 and not more than \$3,000 or suspend
34 the State caterer's license or both.

1 **Chapter 764 of the Acts of 2019**

2 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
3 1, 2019. It shall remain effective for a period of [4] **6** years and, at the end of June 30,
4 **[2023] 2025**, this Act, with no further action required by the General Assembly, shall be
5 abrogated and of no further force and effect.

6 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June
7 1, 2023.