

HB0633/383922/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 633
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after “sources” insert “and comply with certain record-keeping and reporting requirements”.

AMENDMENT NO. 2

On page 3, in line 12, strike the first comma and substitute “OR”; in lines 12 and 13, strike “, OR A RETAIL LICENSE”; after line 13, insert:

“(G) (1) THE LICENSE HOLDER SHALL:

(I) KEEP COMPLETE AND ACCURATE RECORDS OF ALL ALCOHOLIC BEVERAGES SERVED AND PURCHASED UNDER THIS SECTION;

(II) ON WRITTEN REQUEST OF THE COMPTROLLER OR THE BOARD, REPORT ON THE FORM THAT THE COMPTROLLER OR THE BOARD REQUIRES INFORMATION RELATING TO THE ALCOHOLIC BEVERAGES THAT ARE THE SUBJECT OF THE RECORDS REQUIRED TO BE KEPT; AND

(III) ON REQUEST OF THE COMPTROLLER OR THE BOARD, MAKE THE REPORT UNDER OATH.

(2) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, EACH LICENSE HOLDER SHALL KEEP RECORDS AT THE LOCATION DESIGNATED IN THE LICENSE.

(II) IF THE LICENSE HOLDER IS ALLOWED TO HAVE MORE THAN ONE LOCATION, THE LICENSE HOLDER MAY KEEP THE RECORDS AT THE PRINCIPAL LOCATION.

(III) THE RECORDS SHALL:

1. MEET FORM AND CONTENT REQUIREMENTS OF THE COMPTROLLER AND THE BOARD;

2. BE PRESERVED FOR AT LEAST 2 YEARS IN A MANNER THAT ENSURES PERMANENCY; AND

3. BE MADE AVAILABLE FOR AUDIT OR INSPECTION DURING REGULAR BUSINESS HOURS BY THE COMPTROLLER OR THE BOARD OR A DESIGNEE OF THE COMPTROLLER OR THE BOARD.

(3) (I) THE COMPTROLLER MAY WITHOUT A HEARING IMMEDIATELY SUSPEND FOR A MAXIMUM OF 30 DAYS THE LICENSE OF A LICENSE HOLDER WHO FAILS TO COMPLY WITH THIS SUBSECTION.

(II) IF A REPORT REQUIRED BY THIS SECTION OR AN INVESTIGATION BY THE BOARD, A BOARD OFFICER, THE COMPTROLLER, OR ANY OTHER PERSON INDICATES THAT A HOLDER OF A LICENSE WITH AN ON-SALE PRIVILEGE IS VIOLATING THIS SECTION, THE BOARD SHALL SUMMON THE LICENSE HOLDER AND CONDUCT A HEARING.

(III) IF THE CHARGES AT THE HEARING ARE SUSTAINED, THE BOARD:

1. SHALL IMPOSE A FINE OF NOT LESS THAN \$250 AND NOT MORE THAN \$2,000; AND

2. MAY SUSPEND OR REVOKE THE LICENSE HOLDER'S LICENSE IMMEDIATELY.”;

and in line 14, strike “(G)” and substitute “(H)”.