

# SENATE BILL 456

A1

(4lr1739)

## ENROLLED BILL

— Finance/Economic Matters —

Introduced by **Senator A. Washington**

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 **Alcoholic Beverages – Retail Delivery – Local Delivery Service Permit**

3 FOR the purpose of establishing a local delivery service permit that authorizes the holder  
4 to deliver alcoholic beverages from a certain retail license holder that is authorized  
5 to deliver alcoholic beverages to purchasers in a certain jurisdiction under certain  
6 circumstances; authorizing certain retail license holders to deliver alcoholic  
7 beverages to purchasers in a certain jurisdiction through a third-party contractor,  
8 an independent contractor, or an agent that holds a certain delivery service permit  
9 under certain circumstances; altering certain standards and requirements for the  
10 retail delivery of alcoholic beverages; and generally relating to retail delivery of  
11 alcoholic beverages.

12 BY repealing and reenacting, with amendments,  
13 Article – Alcoholic Beverages and Cannabis  
14 Section 4-507

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#### 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 Annotated Code of Maryland  
2 (2016 Volume and 2023 Supplement)

3 BY adding to  
4 Article – Alcoholic Beverages and Cannabis  
5 Section 4–1107  
6 Annotated Code of Maryland  
7 (2016 Volume and 2023 Supplement)

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

10 **Article – Alcoholic Beverages and Cannabis**

11 4–507.

12 (a) This section does not apply to:

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

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

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

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

20 (2) the delivery is made from the licensed premises by [the retail license  
21 holder or an employee of the retail license holder]:

22 **(I) THE RETAIL LICENSE HOLDER;**

23 **(II) AN EMPLOYEE OF THE RETAIL LICENSE HOLDER; OR**

24 **(III) A THIRD-PARTY CONTRACTOR, AN INDEPENDENT**  
25 **CONTRACTOR, OR AN AGENT THAT:**

26 **1. HOLDS A LOCAL DELIVERY SERVICE PERMIT ISSUED**  
27 **UNDER ~~§ 4–1108~~ § 4–1107 OF THIS TITLE; AND**

28 **2. HAS CONTRACTED WITH THE RETAIL LICENSE**  
29 **HOLDER TO MAKE DELIVERIES OF ALCOHOLIC BEVERAGES.**

30 **4–1107.**



1           **(2) PROVIDE VALID IDENTIFICATION AS PROOF OF AGE ON RECEIPT**  
2 **OF THE ALCOHOLIC BEVERAGES.**

3           **(H) ALCOHOLIC BEVERAGES SOLD FOR OFF-PREMISES DELIVERY UNDER**  
4 **THIS SECTION SHALL BE:**

5           **(1) PROVIDED IN THE MANUFACTURER'S ORIGINAL SEALED**  
6 **CONTAINER; AND**

7           **(2) SOLD ONLY DURING THE HOURS THE RETAIL LICENSE HOLDER IS**  
8 **OPEN FOR IN-STORE PURCHASES.**

9           **(I) AN INDIVIDUAL DELIVERING ALCOHOLIC BEVERAGES UNDER A LOCAL**  
10 **DELIVERY SERVICE PERMIT SHALL:**

11           **(1) BE AT LEAST 21 YEARS OLD; AND**

12           **(2) HAVE SUCCESSFULLY COMPLETED AN APPROVED ALCOHOL**  
13 **AWARENESS PROGRAM UNDER § 4-505 OF THIS TITLE.**

14           **(J) A LOCAL DELIVERY SERVICE PERMIT HOLDER MAY NOT DELIVER**  
15 **ALCOHOLIC BEVERAGES TO:**

16           **(1) AN INDIVIDUAL WHO DOES NOT PROVIDE VALID IDENTIFICATION**  
17 **PROVING THAT THE INDIVIDUAL IS AT LEAST 21 YEARS OLD;**

18           **(2) ANOTHER PREMISES LICENSED TO SELL ALCOHOLIC BEVERAGES;**  
19 **OR**

20           **(3) AN INDIVIDUAL LOCATED OUTSIDE THE JURISDICTION WHERE**  
21 **THE RETAIL LICENSE HOLDER IS LOCATED.**

22           **(K) A LOCAL DELIVERY SERVICE PERMIT HOLDER IS SUBJECT TO THE**  
23 **FOLLOWING PENALTIES FOR VIOLATING THIS SECTION:**

24           **(1) FOR A FIRST VIOLATION, A FINE OF \$1,000;**

25           **(2) FOR A SECOND VIOLATION, A FINE OF \$3,000 AND A SUSPENSION**  
26 **OF THE LOCAL DELIVERY SERVICE PERMIT FOR 30 DAYS;**

27           **(3) FOR A THIRD VIOLATION, A FINE OF \$6,000 AND A SUSPENSION OF**  
28 **THE LOCAL DELIVERY SERVICE PERMIT FOR 60 DAYS; AND**

1           **(4) FOR ANY SUBSEQUENT VIOLATION, REVOCATION OF THE LOCAL**  
2 **DELIVERY SERVICE PERMIT.**

3           **(L) THE HOLDER OF A LOCAL DELIVERY SERVICE PERMIT MAY NOT:**

4                 **(1) SELL ALCOHOLIC BEVERAGES; OR**

5                 **(2) STORE ALCOHOLIC BEVERAGES FOR DELIVERY.**

6           **(M) (1) A PERSON SHALL APPLY TO THE LOCAL LICENSING BOARD FOR A**  
7 **LOCAL DELIVERY SERVICE PERMIT BEFORE CONTRACTING TO DELIVER ALCOHOLIC**  
8 **BEVERAGES FOR A RETAIL LICENSE HOLDER.**

9                 **(2) IF A RETAIL LICENSE HOLDER CONTRACTS WITH A LOCAL**  
10 **DELIVERY SERVICE PERMIT HOLDER TO DELIVER ALCOHOLIC BEVERAGES, THE**  
11 **RETAIL LICENSE HOLDER AND THE LOCAL DELIVERY SERVICE PERMIT HOLDER**  
12 **SHALL ESTABLISH A METHOD TO ENSURE THAT THE RETAIL LICENSE HOLDER**  
13 **RETAINS CONTROL OVER SALES TO AND PAYMENTS MADE FROM A PURCHASER FOR**  
14 **THE ALCOHOLIC BEVERAGES.**

15           **(N) THE EXECUTIVE DIRECTOR MAY ADOPT REGULATIONS TO ENFORCE**  
16 **THIS SECTION.**

17           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
18 1, 2024.

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.