

HOUSE BILL 456

A2

6lr0788

By: **Howard County Delegation**

Introduced and read first time: January 23, 2026

Assigned to: Government, Labor, and Elections

Committee Report: Favorable

House action: Adopted

Read second time: March 7, 2026

CHAPTER _____

1 AN ACT concerning

2 **Howard County – Alcoholic Beverages – Gift Basket Permit**

3 **Ho. Co. 2–26**

4 FOR the purpose of establishing, in Howard County, a gift basket permit that authorizes a
5 permit holder to sell and deliver gift baskets containing beer, wine, or liquor to
6 certain individuals under certain circumstances; providing that certain distance
7 requirements do not apply to the issuance of the permit; and generally relating to
8 alcoholic beverages in Howard County.

9 BY repealing and reenacting, without amendments,
10 Article – Alcoholic Beverages and Cannabis
11 Section 23–102
12 Annotated Code of Maryland
13 (2024 Replacement Volume and 2025 Supplement)

14 BY adding to
15 Article – Alcoholic Beverages and Cannabis
16 Section 23–1003.1
17 Annotated Code of Maryland
18 (2024 Replacement Volume and 2025 Supplement)

19 BY repealing and reenacting, with amendments,
20 Article – Alcoholic Beverages and Cannabis
21 Section 23–1602

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.



1 Annotated Code of Maryland
2 (2024 Replacement Volume and 2025 Supplement)

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

5 **Article – Alcoholic Beverages and Cannabis**

6 23–102.

7 This title applies only in Howard County.

8 **23–1003.1.**

9 **(A) THERE IS A GIFT BASKET PERMIT.**

10 **(B) (1) THE BOARD MAY ISSUE THE PERMIT TO A PERSON:**

11 **(I) WHOSE PRIMARY BUSINESS IS THE SALE AND DELIVERY OF**
12 **FLOWERS;**

13 **(II) WHOSE BUSINESS INCLUDES THE SALE AND DELIVERY OF**
14 **GIFT BASKETS OF FLOWERS, FOOD, OR OTHER ITEMS; AND**

15 **(III) WHO DOES NOT HOLD ANY OTHER ALCOHOLIC BEVERAGES**
16 **LICENSE OR PERMIT UNDER THIS ARTICLE.**

17 **(2) THE BOARD MAY NOT ISSUE THE PERMIT FOR USE IN**
18 **CONJUNCTION WITH OR ON THE PREMISES OF A CHAIN STORE, SUPERMARKET, OR**
19 **DISCOUNT HOUSE.**

20 **(C) A HOLDER OF THE PERMIT:**

21 **(1) MAY SELL AND DELIVER, TO CONSUMERS OF A LEGAL DRINKING**
22 **AGE LOCATED IN THE COUNTY, GIFT BASKETS CONTAINING:**

23 **(I) NOT MORE THAN 72 OUNCES OF BEER;**

24 **(II) NOT MORE THAN 2.25 LITERS OF WINE; OR**

25 **(III) NOT MORE THAN 2.25 LITERS OF LIQUOR; AND**

26 **(2) SHALL MAINTAIN RECORDS AND SUBMIT REPORTS AS REQUIRED**
27 **BY THE BOARD.**

1 **(D) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE PERMIT**
2 **HOLDER OR AN EMPLOYEE OF THE PERMIT HOLDER SHALL:**

3 **(I) DELIVER THE GIFT BASKET CONTAINING ALCOHOLIC**
4 **BEVERAGES; AND**

5 **(II) REQUIRE THE PERSON RECEIVING A DELIVERY OF A GIFT**
6 **BASKET CONTAINING ALCOHOLIC BEVERAGES TO DISPLAY PROOF THAT THE**
7 **PERSON IS AT LEAST 21 YEARS OLD.**

8 **(2) AN INDIVIDUAL WHO DELIVERS A GIFT BASKET CONTAINING**
9 **ALCOHOLIC BEVERAGES SHALL BE AT LEAST 21 YEARS OLD.**

10 **(E) THE HOLDER'S ANNUAL SALES FROM ALCOHOLIC BEVERAGES MAY NOT**
11 **EXCEED 10% OF THE HOLDER'S ANNUAL GROSS SALES.**

12 **(F) THE ALCOHOLIC BEVERAGES CONTAINED IN A GIFT BASKET SHALL BE**
13 **PURCHASED FROM A RETAIL LICENSE HOLDER.**

14 **(G) THE BOARD SHALL ADOPT REGULATIONS TO CARRY OUT THIS SECTION.**

15 **(H) THE FEE FOR A GIFT BASKET PERMIT IS \$100.**

16 23-1602.

17 (a) (1) Subject to subsection (b) of this section, the Board may not issue:

18 (i) a Class B license for a restaurant that is within 400 feet of the
19 nearest point of a public school building; or

20 (ii) any other license for an establishment that is within 500 feet of
21 the nearest point of a public school building.

22 (2) A decision of the County Board of Education to locate a public school
23 building within 500 feet of the premises of a license holder may not be the basis to revoke
24 or deny the renewal or transfer of the license.

25 (b) For a license issued on or before June 30, 1971, the Board may renew the
26 license or approve the transfer of the license to a new license holder for the same
27 establishment and type of license.

28 **(C) THE PROHIBITION AGAINST ISSUING A LICENSE IN SUBSECTION (A) OF**
29 **THIS SECTION DOES NOT APPLY TO THE ISSUANCE OF A GIFT BASKET PERMIT.**

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
2 1, 2026.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.