

Department of Legislative Services
Maryland General Assembly
2014 Session

FISCAL AND POLICY NOTE

Senate Bill 49 (Senator Hershey)
Education, Health, and Environmental Affairs

Kent County - Alcoholic Beverages Act of 2014

This bill authorizes the Kent County Board of License Commissioners to issue a beer or wine tasting (BWT) license to a holder of a Class A beer and wine license or a Class A beer, wine, and liquor license. Additionally, the inspector employed by the Kent County Board of License Commissioners may serve summonses and issue citations for specified alcohol-related crimes in Kent County. The inspector must complete training in the proper use of arrest authority and pertinent police procedures as required by the board. The inspector may not carry a firearm while performing the inspector's duties. Penalties imposed by the board do not limit, but are in addition, to other specific or general penalties for the same violation and are independent of any related court action based on the same violation.

The bill takes effect July 1, 2014.

Fiscal Summary

State Effect: None.

Local Effect: Kent County alcoholic beverages license fee revenues increase minimally beginning in FY 2015 from issuance of BWT licenses at an annual fee of \$200. Any enforcement activities can be handled with existing resources.

Small Business Effect: Potential minimal. Holders of Class A beer and wine licenses or Class A beer, wine, and liquor licenses may realize increased sales resulting from the use of the BWT license.

Analysis

Bill Summary:

New Beer and Wine Tasting License

A Class BWT license allows the holder to serve, for tasting purposes only, samples of up to two ounces of wine from a given brand and four ounces from all brands and up to two ounces of beer from a given brand and six ounces from all brands to any one person in a single day for on-premises consumption. The wine served may not contain more than 22% alcohol by volume and the beer served must be brewed by a holder of a micro-brewery license or an equivalent out-of-state license.

The license holder may not conduct a wine tasting event and a beer tasting event on the same day. The annual BWT license fee is \$200, and the selection of wine or beer offered at a tasting is not limited to wine or beer produced in the State. A BWT licensee may sell beer that is permitted for tasting if the beer is sold in refillable containers that are sealed by the BWT licensee and unsold beer is returned to the provider.

Current Law: There is no Class BWT (beer and wine tasting) license in Kent County.

The Comptroller, the boards of license commissioners, or the members of the boards may issue summonses for witnesses. Generally, summonses must be served by the sheriff of any county or the Baltimore City Police Department. Inspectors employed by the Anne Arundel County Board of License Commissioners, the Baltimore City Board of Liquor License Commissioners, the Cecil County Board of License Commissioners, the Dorchester County Board of License Commissioners, and the Harford County Liquor Control Board may serve summonses in their respective jurisdictions.

The Kent County Board of License Commissioners may impose penalties for alcohol-related violations which generally include license suspension, closure of the place of business, and fines.

Inspectors in Anne Arundel, Frederick, Harford, Montgomery, Prince George's, and Talbot counties may issue citations for specified alcohol-related crimes in the inspector's jurisdiction. The inspector must complete training in the proper use of arrest authority and pertinent police procedures as required by the board of license commissioners. In Anne Arundel, Harford, Montgomery, Prince George's, and Talbot counties, the inspector may not carry a firearm while performing the inspector's duties.

In Kent County, citations are issued by police officers.

Background: In fiscal 2013, the Kent County Board of License Commissioners issued seven Class A beer and wine licenses and 9 Class A beer, wine, and liquor licenses.

In fiscal 2013, there were 13 retail license violations in Kent County, 11 of which were for underage possession.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Kent County, Department of Legislative Services

Fiscal Note History: First Reader - January 14, 2014
mlm/lgc

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