

HOUSE BILL 551

A2

0lr2320

By: **Wicomico County Delegation**

Introduced and read first time: February 2, 2010

Assigned to: Economic Matters

Committee Report: Favorable

House action: Adopted

Read second time: March 16, 2010

CHAPTER _____

1 AN ACT concerning

2 **Wicomico County – Alcoholic Beverages – Beer Tasting – Workers in Licensed**
3 **Establishments**

4 FOR the purpose of creating in Wicomico County a beer tasting (BT) license and a
5 beer/wine tasting (BWT) license; specifying to whom the licenses may be issued;
6 providing for license fees, applications, renewals, and issuance procedures;
7 setting certain maximum limits on the amounts of individual servings and open
8 containers and bottles of beer and wine at certain events; specifying certain
9 restrictions and notice requirements on certain beer or wine events; authorizing
10 the Board of License Commissioners to adopt certain regulations; authorizing a
11 person of a certain age who has a valid work permit to be employed for certain
12 purposes at premises that are licensed to sell alcoholic beverages in Wicomico
13 County; making certain stylistic changes; and generally relating to alcoholic
14 beverages in Wicomico County.

15 BY repealing and reenacting, without amendments,
16 Article 2B – Alcoholic Beverages
17 Section 6–101(a)(1) and (x)(1), 6–401(a)(1) and (x)(1), and 12–302(a)
18 Annotated Code of Maryland
19 (2005 Replacement Volume and 2009 Supplement)

20 BY repealing and reenacting, with amendments,
21 Article 2B – Alcoholic Beverages
22 Section 6–101(x)(5)(i), 6–401(x)(6), and 8–412
23 Annotated Code of Maryland

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 (2005 Replacement Volume and 2009 Supplement)

2 BY adding to

3 Article 2B – Alcoholic Beverages

4 Section 12–302(b)(13)

5 Annotated Code of Maryland

6 (2005 Replacement Volume and 2009 Supplement)

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

9 **Article 2B – Alcoholic Beverages**

10 6–101.

11 (a) (1) A Class A beer, wine and liquor license shall be issued by the
12 license issuing authority of the county in which the place of business is located. The
13 license authorizes the holder to keep for sale and to sell all alcoholic beverages at
14 retail, in any quantity, at the place described in the license. The licensee shall deliver
15 the alcoholic beverages in a sealed package or container and the package or container
16 may not be opened nor its contents consumed on the premises where sold.

17 (x) (1) This subsection applies only in Wicomico County.

18 (5) (i) [1.] The annual license fee is [\$2,200.

19 2. During calendar year 1997, the annual license fee is
20 \$3,300.

21 3. During calendar year 1998 and thereafter, the annual
22 license fee is] \$4,400.

23 6–401.

24 (a) (1) A Class D beer, wine and liquor license shall be issued by the
25 license issuing authority of the county in which the place of business is located. It
26 authorizes the holder to keep for sale and sell all alcoholic beverages at retail at the
27 place described in it, for consumption on the premises or elsewhere. A license may not
28 be issued for any drugstore.

29 (x) (1) This subsection applies only in Wicomico County.

30 (6) A person may not be on the premises who is under the legal
31 **DRINKING** age [for the consumption of beer and light wine] in this State.

32 8–412.

1 (a) This section applies only in Wicomico County.

2 (b) (1) The Board of License Commissioners may issue [a]:

3 (I) **A BEER TASTING (BT) LICENSE FOR BEER TASTING AND**
4 **SAMPLING;**

5 (II) **A wine tasting (WT) license for wine tasting and sampling;**
6 **AND**

7 (III) **A BEER/WINE TASTING (BWT) LICENSE FOR BEER OR**
8 **WINE TASTING AND SAMPLING.**

9 (2) **A BT, WT, OR BWT** license may be issued only to a holder of a
10 **Class A beer and wine (off-sale) license OR TO A HOLDER OF A CLASS A BEER,**
11 **WINE AND LIQUOR (OFF-SALE) LICENSE.**

12 (c) The annual [WT] license fee is [\$150]:

13 (I) **FOR A BT LICENSE, \$150;**

14 (II) **FOR A WT LICENSE, \$150; AND**

15 (III) **FOR A BWT LICENSE, \$250.**

16 (d) (1) An application for a **BT, WT, OR BWT** license shall be made on a
17 form that the Board of License Commissioners provides.

18 (2) A renewal of the **BT, WT, OR BWT** license may be made at the
19 time the **Class A beer and wine (off-sale) license OR CLASS A BEER, WINE AND**
20 **LIQUOR (OFF-SALE) LICENSE** is renewed.

21 (3) The Board of License Commissioners may grant a **BT, WT, OR**
22 **BWT** license without a hearing.

23 (4) If application for a **BT, WT, OR BWT** license is denied, the
24 applicant may request a public hearing before the Board of License Commissioners.

25 (e) (1) [A WT license holder may not serve to any person for sampling or
26 tasting purposes more than 1 ounce from each brand] **FOR SAMPLING OR TASTING**
27 **PURPOSES, A PERSON MAY NOT BE SERVED MORE THAN:**

28 (I) **3 OUNCES FROM EACH BRAND OF BEER; OR**

29 (II) **1 OUNCE FROM EACH BRAND OF WINE.**

1 (2) **(I) A MAXIMUM OF SIX CONTAINERS OF BEER MAY BE OPEN**
2 **AT ANY ONE TIME AT A BEER SAMPLING OR TASTING EVENT.**

3 **(II) A maximum of six bottles OF WINE** may be open at any one
4 time at a wine sampling or tasting event.

5 (3) The total number of days during which **BEER OR** wine sampling or
6 tasting events are held may not exceed 15 in any period for which a **BT, WT, OR**
7 **BWT** license is in effect.

8 (4) A **BT, WT, OR BWT** license holder shall notify the Board of
9 License Commissioners in writing at least 5 days before a **BEER OR** wine sampling or
10 tasting event.

11 (5) Once opened, each **CONTAINER OR** bottle used for a **BEER OR**
12 wine sampling or tasting event shall be marked that it is to be used for that purpose
13 only.

14 (6) The contents of each **CONTAINER OR** bottle may not be mixed with
15 any other **CONTAINER OR** bottle, and all **CONTAINERS AND** bottles shall be destroyed
16 once they are empty.

17 (f) (1) A **BT, WT, OR BWT** license is for on-premises consumption only.

18 (2) **[Wine] BEER OR WINE** sampling or tasting may not be conducted
19 from a drive-through window.

20 **(G) THE BOARD OF LICENSE COMMISSIONERS MAY ADOPT**
21 **REGULATIONS TO CARRY OUT THIS SECTION.**

22 12-302.

23 (a) Unless provision is made elsewhere, the following provisions apply
24 statewide to persons who are employed in licensed establishments:

25 (1) A person under age 18 may not be engaged in the sale of alcoholic
26 beverages.

27 (2) Except for Class D beer, wine and liquor licensees as provided in
28 paragraph (3) of this subsection, a person between ages 18 and 21 may be employed in
29 the sale of beer and light wine.

30 (3) A person under age 21 may not be employed by any holder of a
31 Class D beer, wine and liquor license in the sale of alcoholic beverages.

1 (4) A person 18 years old and older may be employed by a Class A
2 licensee to operate a lottery ticket terminal.

3 (b) In the following jurisdictions the specified exceptions to subsection (a) of
4 this section apply:

5 (13) IN WICOMICO COUNTY A PERSON WHO IS AT LEAST 16 YEARS
6 OLD AND HAS A WORK PERMIT MAY BE EMPLOYED AT A LICENSED PREMISES TO
7 STOCK ALCOHOLIC BEVERAGES OR CLEAR TABLES AND BAR AREAS.

8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
9 July 1, 2010.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.