

SENATE BILL 447

A2

8lr2434
CF HB 762

By: **Senators Young and Hough**

Introduced and read first time: January 25, 2018

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 8, 2018

CHAPTER _____

1 AN ACT concerning

2 **Frederick County – Alcoholic Beverages – Wine ~~License~~ Privilege – Cheese and**
3 **Deli Shops**

4 FOR the purpose of establishing a cheese and deli shop wine ~~license~~ privilege in Frederick
5 County; authorizing the Board of License Commissioners to issue the ~~license~~
6 privilege for use by an establishment for which a certain license has been issued that
7 derives a certain percentage of its total average daily receipts from the sale of cheese,
8 meats, sandwiches, and other products normally associated with delis; authorizing
9 the holder of the ~~license~~ privilege to ~~provide~~ sell wine by the glass for
10 on-premises consumption while the customer is purchasing items at the cheese and
11 deli shop or attending a certain event; ~~prohibiting the license from being transferred~~
12 ~~to another location~~; specifying that the ~~license~~ privilege may be exercised during
13 certain hours; providing that an establishment for which the ~~license~~ privilege is
14 issued is subject to certain alcohol awareness training requirements; specifying an
15 annual ~~license~~ privilege fee; and generally relating to alcoholic beverages licenses in
16 Frederick County.

17 BY repealing and reenacting, without amendments,

18 Article – Alcoholic Beverages

19 Section 20–102

20 Annotated Code of Maryland

21 (2016 Volume and 2017 Supplement)

22 ~~BY adding to~~

23 ~~Article – Alcoholic Beverages~~

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.



~~Section 20-1003.1~~
~~Annotated Code of Maryland~~
~~(2016 Volume and 2017 Supplement)~~

BY repealing and reenacting, with amendments,
Article – Alcoholic Beverages
Section 20-802
Annotated Code of Maryland
(2016 Volume and 2017 Supplement)

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

Article – Alcoholic Beverages

20-102.

This title applies only in Frederick County.

~~20-1003.1.~~

~~(A) THERE IS A CHEESE AND DELI SHOP WINE LICENSE.~~

~~(B) THE BOARD MAY ISSUE THE LICENSE FOR USE BY AN ESTABLISHMENT THAT HAS AVERAGE DAILY RECEIPTS FROM THE SALE OF CHEESE, MEATS, SANDWICHES, AND OTHER PRODUCTS NORMALLY ASSOCIATED WITH DELIS THAT ARE AT LEAST 50% OF THE TOTAL AVERAGE DAILY RECEIPTS OF THE ESTABLISHMENT.~~

~~(C) THE LICENSE AUTHORIZES THE LICENSE HOLDER TO PROVIDE NOT MORE THAN 5 OUNCES OF WINE BY THE GLASS FOR ON-PREMISES CONSUMPTION BY A CUSTOMER WHILE:~~

~~(1) PURCHASING ITEMS AT THE CHEESE AND DELI SHOP; OR~~

~~(2) ATTENDING A FUND-RAISING EVENT AT THE CHEESE AND DELI SHOP FOR WHICH THE DEPARTMENT OF PERMITS AND INSPECTIONS, IF REQUIRED, HAS ISSUED A PERMIT.~~

~~(D) THE LICENSE MAY NOT BE TRANSFERRED TO ANOTHER LOCATION.~~

~~(E) THE LICENSE HOLDER MAY PROVIDE WINE FOR ON-PREMISES CONSUMPTION DURING NORMAL BUSINESS HOURS BUT NOT LATER THAN 9 P.M.~~

1 ~~(F) THE CHEESE AND DELI SHOP FOR WHICH A CHEESE AND DELI SHOP~~
2 ~~WINE LICENSE IS ISSUED IS SUBJECT TO THE ALCOHOL AWARENESS TRAINING~~
3 ~~REQUIREMENTS UNDER § 4-505 OF THIS ARTICLE, SUBJECT TO § 20-1903 OF THIS~~
4 ~~TITLE.~~

5 ~~(G) THE ANNUAL LICENSE FEE IS \$100.~~
6 20-802.

7 (a) There is a Class A beer and wine license.

8 (b) (1) The license authorizes the license holder to sell beer and wine, at retail,
9 at the place described in the license.

10 (2) [The] EXCEPT AS PROVIDED IN SUBSECTION (D) OF THIS SECTION,
11 THE license holder shall sell the beer and wine in a sealed package or container.

12 (3) The package or container may not be opened and its contents may not
13 be consumed on the premises where the beer or wine is sold.

14 (c) The annual license fee is \$140.

15 (D) (1) THE BOARD MAY ISSUE THE LICENSE WITH A CHEESE AND DELI
16 SHOP WINE PRIVILEGE FOR USE IN AN ESTABLISHMENT THAT HAS AVERAGE DAILY
17 RECEIPTS FROM THE SALE OF CHEESE, MEATS, SANDWICHES, AND OTHER
18 PRODUCTS NORMALLY ASSOCIATED WITH DELIS THAT ARE AT LEAST 50% OF THE
19 TOTAL AVERAGE DAILY RECEIPTS OF THE ESTABLISHMENT.

20 (2) THE PRIVILEGE AUTHORIZES THE LICENSE HOLDER TO SELL NOT
21 MORE THAN 5 OUNCES OF WINE BY THE GLASS FOR ON-PREMISES CONSUMPTION TO
22 A CUSTOMER WHILE THE CUSTOMER:

23 (I) PURCHASES ITEMS AT THE CHEESE AND DELI SHOP; OR

24 (II) ATTENDS A FUND-RAISING EVENT AT THE CHEESE AND DELI
25 SHOP FOR WHICH THE DEPARTMENT OF PERMITS AND INSPECTIONS, IF REQUIRED,
26 HAS ISSUED A PERMIT.

27 (3) THE HOLDER OF THE PRIVILEGE MAY SELL WINE FOR
28 ON-PREMISES CONSUMPTION DURING NORMAL BUSINESS HOURS, BUT NOT LATER
29 THAN 9 P.M.

30 (4) THE CHEESE AND DELI SHOP FOR WHICH THE PRIVILEGE IS
31 GRANTED IS SUBJECT TO THE ALCOHOL AWARENESS TRAINING REQUIREMENTS
32 UNDER § 4-505 OF THIS ARTICLE, SUBJECT TO § 20-1903 OF THIS TITLE.

1 **(5) THE ANNUAL FEE FOR THE PRIVILEGE IS \$100.**

2 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
3 1, 2018.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.