

Chapter 512

(Senate Bill 495)

AN ACT concerning

Calvert County – Alcoholic Beverages – Premises Inspections and Penalties

FOR the purpose of authorizing the Calvert County Board of License Commissioners, or its designee, to inspect each licensed premises in the county, at certain intervals, rather than requiring the Board to inspect every licensed premises in the county at least once every 3 months; authorizing the Board of License Commissioners for Calvert County to impose certain fines or suspend an alcoholic beverages license under certain circumstances; authorizing the Board to impose certain penalties if an alcoholic beverages licensee or an employee of the licensee sells alcoholic beverages to a person under the age of 21 years; specifying that certain money collected be deposited into the general fund of the county; requiring the Board to consider certain factors in determining the length of a certain suspension to be imposed; requiring the Board to impose a fine in accordance with a certain provision of law; making certain stylistic changes; and generally relating to alcoholic beverages in Calvert County.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 16–402
Annotated Code of Maryland
(2011 Replacement Volume and 2013 Supplement)

BY adding to
Article 2B – Alcoholic Beverages
Section 16–507(f)
Annotated Code of Maryland
(2011 Replacement Volume and 2013 Supplement)

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

Article 2B – Alcoholic Beverages

16–402.

In Calvert County, the Board of License Commissioners [shall], **OR ITS DESIGNEE, MAY** inspect [every] **EACH** licensed premises in the county ~~at least once every three~~ **SIX** months~~].~~

16-507.

(F) (1) THIS SUBSECTION APPLIES ONLY IN CALVERT COUNTY.

(2) NOTWITHSTANDING ANY OTHER PROVISION OF THIS ARTICLE, THE BOARD OF LICENSE COMMISSIONERS MAY:

(I) EXCEPT FOR A VIOLATION REGARDING A BOTTLE CLUB, IMPOSE A FINE NOT EXCEEDING:

1. ~~\$2,500~~ \$1,000 FOR A VIOLATION OF STATE LAW;
OR

2. \$500 FOR A VIOLATION OF THE RULES AND REGULATIONS OF THE BOARD; OR

(II) SUSPEND AN ALCOHOLIC BEVERAGES LICENSE FOR A VIOLATION OF ANY ALCOHOLIC BEVERAGES LAW THAT APPLIES IN THE COUNTY.

(3) IF AN ALCOHOLIC BEVERAGES LICENSEE OR AN EMPLOYEE OF AN ALCOHOLIC BEVERAGES LICENSEE SELLS ALCOHOLIC BEVERAGES TO A PERSON UNDER THE AGE OF 21 YEARS, THE BOARD MAY:

(I) FOR A FIRST OFFENSE, SUSPEND THE LICENSE FOR NOT MORE THAN 3 DAYS OR IMPOSE A FINE NOT EXCEEDING \$500 OR BOTH; AND

(II) FOR AN OFFENSE OCCURRING WITHIN ~~5~~ 3 YEARS AFTER A PRIOR OFFENSE, SUSPEND THE LICENSE FOR NOT MORE THAN 30 DAYS OR IMPOSE A FINE NOT EXCEEDING ~~\$2,500~~ \$1,000 OR BOTH.

(4) MONEY COLLECTED UNDER THIS SUBSECTION SHALL BE DEPOSITED INTO THE GENERAL FUND OF THE COUNTY.

(5) IN DETERMINING THE LENGTH OF A SUSPENSION UNDER PARAGRAPH (3)(II) OF THIS SUBSECTION, THE BOARD SHALL CONSIDER ~~THE CLASS OF LICENSE AND THE ECONOMIC IMPACT THE SUSPENSION WILL HAVE ON THE BUSINESS OF THE LICENSEE:~~

(I) THE CLASS OF LICENSE; AND

(II) THE ECONOMIC IMPACT THE SUSPENSION WILL HAVE

ON:

1. THE BUSINESS OF THE LICENSEE; AND

2. EMPLOYEES OF THE LICENSEE.

(6) THE BOARD SHALL IMPOSE A FINE UNDER THIS SUBSECTION IN ACCORDANCE WITH § 10-1001 OF THE STATE GOVERNMENT ARTICLE.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2014.

Approved by the Governor, May 15, 2014.