

# HOUSE BILL 1422

A2

8lr3304  
CF SB 1072

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By: **Caroline County Delegation**

Introduced and read first time: February 9, 2018

Assigned to: Economic Matters

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 13, 2018

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Caroline County – Alcoholic Beverages – Bed and Breakfast License**

3 FOR the purpose of establishing a 7–day Class B–BB (bed and breakfast) on–sale beer,  
4 wine, and liquor license in Caroline County; providing the qualifications that must  
5 be met for the issuance or renewal of the license; authorizing the license holder to  
6 sell alcoholic beverages to guests of the establishment under certain circumstances;  
7 authorizing the license holder to sell alcoholic beverages to guests of certain catered  
8 events on– and off–premises under certain circumstances; specifying the hours for  
9 sale of alcoholic beverages; specifying that, except during certain catered events or  
10 ticketed events hosted by the license holder, the license does not authorize the license  
11 holder to sell alcoholic beverages to certain individuals; authorizing the license  
12 holder to allow certain guests to consume personal alcoholic beverages on the  
13 premises under certain circumstances and subject to a certain limitation; specifying  
14 that certain restrictions do not apply to a permanent resident of the establishment  
15 or to guests of the permanent resident; specifying that a license is void under certain  
16 circumstances and must be returned to the Board; requiring the license holder to  
17 retain and make available certain records; providing for an annual fee for the license;  
18 and generally relating to a Class B–BB license in Caroline County.

19 BY renumbering

20 Article – Alcoholic Beverages

21 Section 15–1001

22 to be Section 15–1001.1

23 Annotated Code of Maryland

24 (2016 Volume and 2017 Supplement)

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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.



BY repealing and reenacting, without amendments,  
Article – Alcoholic Beverages  
Section 15–102  
Annotated Code of Maryland  
(2016 Volume and 2017 Supplement)

BY adding to  
Article – Alcoholic Beverages  
Section 15–1001  
Annotated Code of Maryland  
(2016 Volume and 2017 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
That Section(s) 15–1001 of Article – Alcoholic Beverages of the Annotated Code of Maryland  
be renumbered to be Section(s) 15–1001.1.

SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read  
as follows:

**Article – Alcoholic Beverages**

15–102.

This title applies only in Caroline County.

**15–1001.**

**(A) THERE IS A CLASS B–BB (BED AND BREAKFAST) BEER, WINE, AND  
LIQUOR LICENSE.**

**(B) THE BOARD MAY ISSUE THE LICENSE TO A LICENSE HOLDER WHO IS  
APPROVED BY THE APPROPRIATE LOCAL GOVERNMENTAL UNIT TO OPERATE A BED  
AND BREAKFAST THAT:**

**(1) PROVIDES SERVICES ORDINARILY PROVIDED BY A BED AND  
BREAKFAST;**

**(2) HAS AT LEAST ONE ROOM BUT NOT MORE THAN ~~10~~ 5 ROOMS, EACH  
WITH SLEEPING ACCOMMODATIONS, EXCLUDING RESIDENT MANAGEMENT  
QUARTERS, THAT THE PUBLIC FOR CONSIDERATION MAY USE FOR A SPECIFIED  
TIME; AND**

**(3) HAS A KITCHEN FACILITY THAT HAS BEEN APPROVED BY THE  
APPROPRIATE LOCAL GOVERNMENTAL UNIT.**

(C) THE LICENSE AUTHORIZES THE LICENSE HOLDER TO SELL BEER, WINE, AND LIQUOR TO A GUEST IF:

(1) THE NAME AND ADDRESS OF THE GUEST APPEARS ON THE REGISTRY THAT THE BED AND BREAKFAST MAINTAINS; AND

(2) THE GUEST IS AN OCCUPANT OF A SLEEPING ROOM IN THE BED AND BREAKFAST.

(D) (1) THE LICENSE AUTHORIZES THE LICENSE HOLDER TO SELL BEER, WINE, AND LIQUOR FOR ON-PREMISES CONSUMPTION TO A GUEST OF A CATERED EVENT AT THE BED AND BREAKFAST IF:

(I) 1. THE LICENSE HOLDER IS UNDER CONTRACT TO CATER THE EVENT;

~~(II)~~ 2. THE LICENSE HOLDER CATERES THE EVENT; AND

~~(III)~~ 3. FOOD IS SERVED AT THE CATERED EVENT; OR

(II) THE LICENSE HOLDER HOSTS AN EVENT FOR WHICH TICKETS ARE SOLD IN ADVANCE.

(2) THE LICENSE AUTHORIZES THE LICENSE HOLDER TO CONTRACT TO PROVIDE ALCOHOLIC BEVERAGES AT EVENTS HELD OFF THE PREMISES IF:

(I) THE EVENT IS HELD IN THE COUNTY;

(II) THE BED AND BREAKFAST ALSO CONTRACTS TO PROVIDE FOOD AT THE CATERED EVENT; AND

(III) THE COST OF ALCOHOLIC BEVERAGES DOES NOT EXCEED 50% OF THE TOTAL INVOICE FOR THE CATERED EVENT.

(3) ~~(I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE~~  
THE LICENSE AUTHORIZES THE LICENSE HOLDER TO ALLOW:

~~1. A PATRON OF A CATERED EVENT TO BRING PERSONAL ALCOHOLIC BEVERAGES ONTO THE PREMISES OF THE BED AND BREAKFAST FOR CONSUMPTION AT THE CATERED EVENT; AND~~

~~2.~~ A GUEST OF THE BED AND BREAKFAST, WHOSE NAME AND ADDRESS APPEARS ON THE REGISTRY OF THE ESTABLISHMENT, TO BRING PERSONAL ALCOHOLIC BEVERAGES ONTO THE PREMISES FOR ON-PREMISES

CONSUMPTION DURING THE HOURS AND DAYS AS SET OUT UNDER SUBSECTION (E) OF THIS SECTION.

~~(H) THE LICENSE HOLDER MAY NOT SELL ALCOHOLIC BEVERAGES AT A CATERED EVENT TO WHICH A PATRON MAY BRING PERSONAL ALCOHOLIC BEVERAGES.~~

(E) THE LICENSE HOLDER MAY SELL BEER, WINE, AND LIQUOR FOR ON-PREMISES CONSUMPTION DURING THE HOURS AND DAYS AS SET OUT FOR A CLASS B BEER, WINE, AND LIQUOR LICENSE UNDER § 15-2004 OF THIS TITLE.

(F) EXCEPT DURING CATERED EVENTS THAT MEET THE REQUIREMENTS UNDER SUBSECTION (D) OF THIS SECTION OR TICKETED EVENTS HOSTED BY THE LICENSE HOLDER, THE LICENSE DOES NOT AUTHORIZE THE SALE OF BEER, WINE, AND LIQUOR TO AN INDIVIDUAL WHO:

(1) IS NOT A GUEST OF THE BED AND BREAKFAST; OR

(2) IS REGISTERED AS A GUEST AT THE BED AND BREAKFAST ONLY TO OBTAIN BEER, WINE, AND LIQUOR.

(G) (1) A BED AND BREAKFAST MAY NOT BE OPERATED ONLY TO SELL OR PROVIDE BEER, WINE, AND LIQUOR.

(2) IF THE BED AND BREAKFAST ENDS OPERATIONS AS A BED AND BREAKFAST:

(I) THE LICENSE IS VOID; AND

(II) THE LICENSE HOLDER SHALL RETURN THE LICENSE TO THE BOARD.

(H) THIS SECTION MAY NOT BE CONSTRUED TO APPLY TO A PERMANENT RESIDENT ON THE PREMISES OR TO GUESTS OF THE PERMANENT RESIDENT.

(I) THE LICENSE HOLDER SHALL:

(1) MAINTAIN RECORDS OF ALL CATERED EVENTS, ON-PREMISES AND OFF-PREMISES, WHERE ALCOHOLIC BEVERAGES ARE SERVED; AND

(2) MAKE THE RECORDS REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION AVAILABLE ON REQUEST TO THE BOARD OR TO THE COMPTROLLER.

(J) THE ANNUAL LICENSE FEE IS \$500.

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

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.