

SENATE BILL 1072

A2

8lr3302
CF HB 1422

By: **Caroline County Senators**

Introduced and read first time: February 9, 2018

Assigned to: Rules

A BILL ENTITLED

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, the
10 license does not authorize the license holder to sell alcoholic beverages to certain
11 individuals; authorizing the license holder to allow certain guests to consume
12 personal alcoholic beverages on the premises under certain circumstances and
13 subject to a certain limitation; specifying that certain restrictions do not apply to a
14 permanent resident of the establishment or to guests of the permanent resident;
15 specifying that a license is void under certain circumstances and must be returned
16 to the Board; requiring the license holder to retain and make available certain
17 records; providing for an annual fee for the license; and generally relating to a Class
18 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)

25 BY repealing and reenacting, without amendments,

26 Article – Alcoholic Beverages

27 Section 15–102

28 Annotated Code of Maryland

29 (2016 Volume and 2017 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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 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**

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

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

6 **(I) THE LICENSE HOLDER IS UNDER CONTRACT TO CATER THE**
7 **EVENT;**

8 **(II) THE LICENSE HOLDER CATERES THE EVENT; AND**

9 **(III) FOOD IS SERVED AT THE CATERED EVENT.**

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

12 **(I) THE EVENT IS HELD IN THE COUNTY;**

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

15 **(III) THE COST OF ALCOHOLIC BEVERAGES DOES NOT EXCEED**
16 **50% OF THE TOTAL INVOICE FOR THE CATERED EVENT.**

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

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

22 **2. A GUEST OF THE BED AND BREAKFAST, WHOSE NAME**
23 **AND ADDRESS APPEARS ON THE REGISTRY OF THE ESTABLISHMENT, TO BRING**
24 **PERSONAL ALCOHOLIC BEVERAGES ONTO THE PREMISES FOR ON-PREMISES**
25 **CONSUMPTION DURING THE HOURS AND DAYS AS SET OUT UNDER SUBSECTION (E)**
26 **OF THIS SECTION.**

27 **(II) THE LICENSE HOLDER MAY NOT SELL ALCOHOLIC**
28 **BEVERAGES AT A CATERED EVENT TO WHICH A PATRON MAY BRING PERSONAL**
29 **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, 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.

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