

HOUSE BILL 918

A2

3lr2531
CF SB 687

By: **Delegate Fair**

Introduced and read first time: February 9, 2023

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Frederick County – Alcoholic Beverages – Service and Consumption**

3 FOR the purpose of authorizing in Frederick County the owner or operator of a certain
4 unlicensed establishment to allow patrons who are at least a certain age to bring
5 alcoholic beverages onto the premises for personal consumption; establishing in the
6 county certain authorizations and requirements for owners or operators of certain
7 unlicensed establishments if patrons are allowed to bring alcoholic beverages onto
8 the premises for personal consumption; altering and establishing certain penalties
9 for certain violations related to the service or consumption of alcoholic beverages in
10 the county; and generally relating to alcoholic beverages in Frederick County.

11 BY repealing and reenacting, without amendments,
12 Article – Alcoholic Beverages
13 Section 20–102
14 Annotated Code of Maryland
15 (2016 Volume and 2022 Supplement)

16 BY repealing and reenacting, with amendments,
17 Article – Alcoholic Beverages
18 Section 20–2501 and 20–2502
19 Annotated Code of Maryland
20 (2016 Volume and 2022 Supplement)

21 BY adding to
22 Article – Alcoholic Beverages
23 Section 20–2503
24 Annotated Code of Maryland
25 (2016 Volume and 2022 Supplement)

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



Article – Alcoholic Beverages

20–102.

This title applies only in Frederick County.

20–2501.

(a) After legal closing hours for licensed premises under §§ 20–2003 through 20–2006 of this title, an unlicensed establishment may not:

(1) serve alcoholic beverages or allow alcoholic beverages to be consumed by a customer from supplies that the customer previously purchased or reserved; or

(2) serve, keep, or allow to be consumed at its location or at a location under its control or possession alcoholic beverages, setups, or other component parts of mixed alcoholic drinks.

(b) The prohibitions against nudity or sexual displays under § 4–605 of this article apply to an establishment under subsection (a) of this section.

(c) A person that violates this section is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding [2 years] **90 DAYS** or a fine not exceeding **[\$10,000] \$100** or both.

20–2502.

(a) From 2 a.m. to 6 a.m. on any day, an individual may not consume alcoholic beverages in:

(1) an establishment open to the public;

(2) a place of public entertainment; or

(3) a place at which setups or other component parts of mixed alcoholic beverages are sold under a license issued under the Business Regulation Article.

(b) An owner or a manager of an establishment or a place specified in subsection (a) of this section may not knowingly allow consumption of alcoholic beverages between the hours specified in subsection (a) of this section.

(c) A person who violates this section is guilty of a misdemeanor and on conviction is subject to **IMPRISONMENT NOT EXCEEDING 90 DAYS OR** a fine not exceeding **[\$50] \$100 OR BOTH**.

1 **20-2503.**

2 **(A) THIS SECTION APPLIES TO AN ESTABLISHMENT:**

3 **(1) FOR WHICH THE BOARD HAS NOT ISSUED A LICENSE;**

4 **(2) THAT IS SUBJECT TO ANY OTHER LICENSE ISSUED BY THE STATE**
5 **OR THE COUNTY; AND**

6 **(3) THAT IS OPEN TO THE PUBLIC.**

7 **(B) FROM MIDNIGHT UNTIL 10 A.M., AN INDIVIDUAL MAY NOT CONSUME**
8 **ALCOHOLIC BEVERAGES ON THE PREMISES OF AN ESTABLISHMENT.**

9 **(C) (1) THE OWNER OR OPERATOR OF AN ESTABLISHMENT MAY ALLOW A**
10 **PATRON WHO IS AT LEAST 21 YEARS OLD TO BRING ALCOHOLIC BEVERAGES ONTO**
11 **THE PREMISES FOR PERSONAL CONSUMPTION.**

12 **(2) IF AN OWNER OR OPERATOR OF AN ESTABLISHMENT ALLOWS THE**
13 **CONSUMPTION OF ALCOHOLIC BEVERAGES ON THE PREMISES OF THE**
14 **ESTABLISHMENT, THE OWNER OR OPERATOR:**

15 **(I) MAY LIMIT THE AMOUNT AND TYPE OF ALCOHOLIC**
16 **BEVERAGES THAT MAY BE CONSUMED ON THE PREMISES;**

17 **(II) SHALL REQUIRE THAT AT LEAST ONE EMPLOYEE WHO IS**
18 **WORKING AND PRESENT ON THE PREMISES HAS BEEN TRAINED IN AN ALCOHOL**
19 **AWARENESS PROGRAM;**

20 **(III) MAY NOT ALLOW A PATRON TO EXIT THE ESTABLISHMENT**
21 **WITH AN OPEN ALCOHOLIC BEVERAGES CONTAINER; AND**

22 **(IV) MAY NOT ALLOW A PATRON TO DISTURB THE PEACE,**
23 **SAFETY, AND WELFARE OF THE COMMUNITY.**

24 **(D) A PERSON THAT VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR**
25 **AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 90 DAYS OR A**
26 **FINE NOT EXCEEDING \$500 OR BOTH.**

27 **SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July**
28 **1, 2023.**