

Chapter 317

(House Bill 292)

AN ACT concerning

Alcoholic Beverages – Nonrefillable Containers – Draft Beer

FOR the purpose of establishing in certain jurisdictions a nonrefillable container permit; authorizing a permit holder to sell draft beer for off-premises consumption by packaging the beer in a nonrefillable container that meets certain specifications; specifying certain requirements for permit holders, hours of sale, and ~~license permit~~ fees; prohibiting permit fees to be charged under certain circumstances; and generally relating to nonrefillable containers for alcoholic beverages.

BY adding to

Article – Alcoholic Beverages

Section 4–1106, 10–1103, 11–1103.1, 12–1102.1, 13–1103, 14–1103, 15–1103, 16–1103, 17–1103, 18–1103, 19–1103, 20–1106, 21–1104.1, 22–1104, 23–1104, 25–1104.1, 26–1102.1, 27–1103, 28–1103, 31–1102.1, 32–1103, and 33–1104

Annotated Code of Maryland

(2016 Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,

Article – Alcoholic Beverages

Section 10–102, 11–102, 12–102, 13–102, 14–102, 15–102, 16–102, 17–102, 18–102, 19–102, 20–102, 21–102, 22–102, 23–102, 25–102, 26–102, 27–102, 28–102, 31–102, 32–102, and 33–102

Annotated Code of Maryland

(2016 Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Alcoholic Beverages

Section 10–1101, 11–1101, 12–1101, 13–1101, 14–1101, 15–1101, 16–1101, 17–1101, 18–1101, 19–1101, 20–1101, 21–1101, 22–1101, 23–1101, 25–1101, 26–1101, 27–1101, 28–1101, 31–1101, 32–1101, and 33–1101

Annotated Code of Maryland

(2016 Volume and 2016 Supplement)

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

Article – Alcoholic Beverages**4–1106.**

(A) THERE IS A NONREFILLABLE CONTAINER PERMIT.

(B) A NONREFILLABLE CONTAINER PERMIT AUTHORIZES THE PERMIT HOLDER TO SELL DRAFT BEER FOR OFF-PREMISES CONSUMPTION BY PACKAGING THE BEER IN A NONREFILLABLE CONTAINER THAT MEETS THE STANDARDS SET OUT IN SUBSECTION (D) OF THIS SECTION.

(C) (1) THE TERM OF A NONREFILLABLE CONTAINER PERMIT IS THE SAME AS THAT OF THE UNDERLYING LICENSE.

(2) THE HOURS OF SALE FOR A NONREFILLABLE CONTAINER PERMIT ARE THE SAME AS THOSE FOR THE UNDERLYING LICENSE.

(3) AN APPLICANT WHO HOLDS AN UNDERLYING LICENSE WITHOUT AN OFF-SALE PRIVILEGE SHALL MEET THE SAME ADVERTISING, POSTING OF NOTICE, AND PUBLIC HEARING REQUIREMENTS AS THOSE FOR THE UNDERLYING LICENSE.

(D) ~~(1)~~ TO BE USED AS A NONREFILLABLE CONTAINER FOR DRAFT BEER UNDER THE AUTHORITY OF A NONREFILLABLE CONTAINER PERMIT, A CONTAINER SHALL:

~~(1)~~ (1) BE CONSTRUCTED OUT OF ALUMINUM;

~~(2)~~ (2) BE SEALABLE;

~~(3)~~ (3) HAVE A CAPACITY OF 32 OUNCES;

~~(4)~~ (4) BE BRANDED WITH THE IDENTIFYING MARKS OF THE SELLER OF THE CONTAINER; AND

~~(5)~~ (5) BEAR THE FEDERAL HEALTH WARNING STATEMENT REQUIRED FOR CONTAINERS OF ALCOHOLIC BEVERAGES UNDER 27 C.F.R. ~~16.21~~ § 16.21.

10-102.

This title applies only in the City of Annapolis.

10-1101.

(a) The following sections of Title 4, Subtitle 11 (“Additional License Privileges”) of Division I of this article apply in the City without exception or variation:

(1) § 4-1102 (“Corkage — Consuming wine not purchased from license holder on licensed premises”); and

(2) § 4-1103 (“Removal of partially consumed bottle of wine from licensed premises”).

(b) Section 4-1105 (“Refillable container permit — Wine”) of Division I of this article does not apply in the City.

(c) **THE FOLLOWING SECTIONS OF TITLE 4, SUBTITLE 11 (“ADDITIONAL LICENSE PRIVILEGES”) OF DIVISION I OF THIS ARTICLE APPLY IN THE CITY:**

(1) [Section] § 4-1104 (“Refillable container permit — Draft beer”) [of Division I of this article applies in the City], subject to § 10-1102 of this subtitle; **AND**

(2) **§ 4-1106 (“NONREFILLABLE CONTAINER PERMIT — DRAFT BEER”), SUBJECT TO § 10-1103 OF THIS SUBTITLE.**

10-1103.

(A) **THE BOARD MAY ISSUE A NONREFILLABLE CONTAINER PERMIT FOR DRAFT BEER TO A HOLDER OF A CLASS A LICENSE, CLASS B LICENSE, CLASS D LICENSE, OR CLASS E LICENSE.**

(B) **AN APPLICANT FOR THE PERMIT SHALL COMPLETE THE FORM THAT THE BOARD PROVIDES.**

(C) **THE HOURS OF SALE FOR A NONREFILLABLE CONTAINER PERMIT:**

(1) **BEGIN AT THE SAME TIME AS THOSE FOR THE UNDERLYING LICENSE; AND**

(2) **END AT MIDNIGHT.**

(D) **THE BOARD SHALL ADOPT REGULATIONS TO CARRY OUT THIS SECTION.**

(E) **(1) ~~THE~~ EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE ANNUAL PERMIT FEES ARE:**

~~(1)~~ **(I) \$50 FOR AN APPLICANT WHOSE LICENSE HAS AN OFF-SALE PRIVILEGE; AND**

~~(2)~~ **(II) \$500 FOR AN APPLICANT WHOSE LICENSE DOES NOT HAVE AN OFF-SALE PRIVILEGE.**

(2) AN APPLICANT WHO HAS A REFILLABLE CONTAINER PERMIT MAY NOT BE CHARGED A FEE FOR A NONREFILLABLE CONTAINER PERMIT.

11-102.

This title applies only in Anne Arundel County.

11-1101.

(a) The following sections of Title 4, Subtitle 11 (“Additional License Privileges”) of Division I of this article apply in the county without exception or variation:

(1) § 4-1102 (“Corkage — Consuming wine not purchased from license holder on licensed premises”); and

(2) § 4-1103 (“Removal of partially consumed bottle of wine from licensed premises”).

(b) Section 4-1105 (“Refillable container permit — Wine”) of Division I of this article does not apply in the county.

(c) **THE FOLLOWING SECTIONS OF TITLE 4, SUBTITLE 11 (“ADDITIONAL LICENSE PRIVILEGES”) OF DIVISION I OF THIS ARTICLE APPLY IN THE COUNTY:**

(1) [Section] § 4-1104 (“Refillable container permit — Draft beer”) [of Division I of this article applies in the county], subject to § 11-1103 of this subtitle; **AND**

(2) **§ 4-1106 (“NONREFILLABLE CONTAINER PERMIT — DRAFT BEER”), SUBJECT TO § 11-1103.1 OF THIS SUBTITLE.**

11-1103.1.

(A) THE BOARD MAY ISSUE A NONREFILLABLE CONTAINER PERMIT FOR DRAFT BEER TO A HOLDER OF A CLASS A LICENSE, A CLASS B LICENSE, OR A CLASS D LICENSE.

(B) AN APPLICANT FOR THE PERMIT SHALL COMPLETE THE FORM THAT THE BOARD PROVIDES.

(C) THE HOURS OF SALE FOR THE PERMIT:

(1) BEGIN AT THE SAME TIME AS THOSE FOR THE UNDERLYING LICENSE; AND

(2) END AT MIDNIGHT.

(D) THE BOARD SHALL ADOPT REGULATIONS TO CARRY OUT THIS SECTION.

(E) (1) ~~THE~~ EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE ANNUAL PERMIT FEES ARE:

~~(1)~~ (I) \$50 FOR AN APPLICANT WHOSE LICENSE HAS AN OFF-SALE PRIVILEGE; AND

~~(2)~~ (II) \$500 FOR AN APPLICANT WHOSE LICENSE DOES NOT HAVE AN OFF-SALE PRIVILEGE.

(2) AN APPLICANT WHO HAS A REFILLABLE CONTAINER PERMIT MAY NOT BE CHARGED A FEE FOR A NONREFILLABLE CONTAINER PERMIT.

12-102.

This title applies only in Baltimore City.

12-1101.

(a) The following sections of Title 4, Subtitle 11 (“Additional License Privileges”) of Division I of this article apply in the City without exception or variation:

(1) § 4-1102 (“Corkage — Consuming wine not purchased from license holder on licensed premises”); and

(2) § 4-1103 (“Removal of partially consumed bottle of wine from licensed premises”).

(b) Section 4-1105 (“Refillable container permit — Wine”) of Division I of this article does not apply in the City.

(c) **THE FOLLOWING SECTIONS OF TITLE 4, SUBTITLE 11 (“ADDITIONAL LICENSE PRIVILEGES”) OF DIVISION I OF THIS ARTICLE APPLY IN THE CITY:**

(1) [Section] § 4-1104 (“Refillable container permit — Draft beer”) [of Division I of this article applies in the City], subject to § 12-1102 of this subtitle; AND

(2) § 4-1106 (“NONREFILLABLE CONTAINER PERMIT — DRAFT BEER”), SUBJECT TO § 12-1102.1 OF THIS SUBTITLE.

12-1102.1.

(A) THE BOARD MAY ISSUE A NONREFILLABLE CONTAINER PERMIT FOR DRAFT BEER TO A HOLDER OF ANY CLASS OF LICENSE EXCEPT A CLASS C LICENSE OR A CLASS M–G LICENSE.

(B) AN APPLICANT FOR THE PERMIT SHALL COMPLETE THE FORM THAT THE BOARD PROVIDES.

(C) THE HOURS OF SALE FOR THE PERMIT:

(1) BEGIN AT THE SAME TIME AS THOSE FOR THE UNDERLYING LICENSE; AND

(2) END AT MIDNIGHT.

(D) RECEIPTS COLLECTED UNDER THE PERMIT ARE TO BE INCLUDED IN THE CALCULATION OF AVERAGE DAILY RECEIPTS FROM THE SALE OF ALCOHOLIC BEVERAGES UNDER § 12–104 OF THIS TITLE.

(E) THE BOARD SHALL ADOPT REGULATIONS TO CARRY OUT THIS SECTION.

(F) (1) ~~THE~~ EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE ANNUAL PERMIT FEES ARE:

~~(1)~~ (I) \$50 FOR AN APPLICANT WHOSE LICENSE HAS AN OFF–SALE PRIVILEGE; AND

~~(2)~~ (II) \$500 FOR AN APPLICANT WHOSE LICENSE DOES NOT HAVE AN OFF–SALE PRIVILEGE.

(2) AN APPLICANT WHO HAS A REFILLABLE CONTAINER PERMIT MAY NOT BE CHARGED A FEE FOR A NONREFILLABLE CONTAINER PERMIT.

13–102.

This title applies only in Baltimore County.

13–1101.

(a) The following provisions of Title 4, Subtitle 11 (“Additional License Privileges”) of Division I of this article apply in the county without exception or variation:

(1) § 4–1102 (“Corkage — Consuming wine not purchased from license holder on licensed premises”); and

(2) § 4-1103 (“Removal of partially consumed bottle of wine from licensed premises”).

(b) Section 4-1105 (“Refillable container permit — Wine”) of Division I of this article does not apply in the county.

(c) **THE FOLLOWING SECTIONS OF TITLE 4, SUBTITLE 11 (“ADDITIONAL LICENSE PRIVILEGES”) OF DIVISION I OF THIS ARTICLE APPLY IN THE COUNTY:**

(1) [Section] § 4-1104 (“Refillable container permit — Draft beer”) [of Division I of this article applies in the county], subject to § 13-1102 of this subtitle; **AND**

(2) § 4-1106 (“**NONREFILLABLE CONTAINER PERMIT — DRAFT BEER**”), **SUBJECT TO § 13-1103 OF THIS SUBTITLE.**

13-1103.

(A) **THE BOARD MAY ISSUE A NONREFILLABLE CONTAINER PERMIT FOR DRAFT BEER TO A HOLDER OF A CLASS A LICENSE, A CLASS B LICENSE, OR A CLASS D LICENSE.**

(B) **AN APPLICANT FOR THE PERMIT SHALL COMPLETE THE FORM THAT THE BOARD PROVIDES.**

(C) **THE HOURS OF SALE FOR THE PERMIT:**

(1) **BEGIN AT THE SAME TIME AS THOSE FOR THE UNDERLYING LICENSE; AND**

(2) **END AT MIDNIGHT.**

(D) **THE BOARD SHALL ADOPT REGULATIONS TO CARRY OUT THIS SECTION.**

(E) (1) ~~THE~~ EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE **BOARD MAY CHARGE ANNUAL PERMIT FEES OF NOT MORE THAN:**

~~(1)~~ (I) **\$50 FOR AN APPLICANT WHOSE LICENSE HAS AN OFF-SALE PRIVILEGE; AND**

~~(2)~~ (II) **\$500 FOR AN APPLICANT WHOSE LICENSE DOES NOT HAVE AN OFF-SALE PRIVILEGE.**

(2) **AN APPLICANT WHO HAS A REFILLABLE CONTAINER PERMIT MAY NOT BE CHARGED A FEE FOR A NONREFILLABLE CONTAINER PERMIT.**

14-102.

This title applies only in Calvert County.

14-1101.

(a) The following sections of Title 4, Subtitle 11 (“Additional License Privileges”) of Division I of this article apply in the county without exception or variation:

(1) § 4-1102 (“Corkage — Consuming wine not purchased from license holder on licensed premises”); and

(2) § 4-1103 (“Removal of partially consumed bottle of wine from licensed premises”).

(b) Section 4-1105 (“Refillable container permit — Wine”) of Division I of this article does not apply in the county.

(c) **THE FOLLOWING SECTIONS OF TITLE 4, SUBTITLE 11 (“ADDITIONAL LICENSE PRIVILEGES”) OF DIVISION I OF THIS ARTICLE APPLY IN THE COUNTY:**

(1) [Section] § 4-1104 (“Refillable container permit — Draft beer”) [of Division I of this article applies in the county], subject to § 14-1102 of this subtitle; **AND**

(2) **§ 4-1106 (“NONREFILLABLE CONTAINER PERMIT — DRAFT BEER”), SUBJECT TO § 14-1103 OF THIS SUBTITLE.**

14-1103.

(A) THE BOARD MAY ISSUE A NONREFILLABLE CONTAINER PERMIT FOR DRAFT BEER TO A HOLDER OF A CLASS A LICENSE, A CLASS B LICENSE, OR A CLASS D LICENSE.

(B) AN APPLICANT FOR THE PERMIT SHALL COMPLETE THE FORM THAT THE BOARD PROVIDES.

(C) THE HOURS OF SALE FOR THE PERMIT:

(1) BEGIN AT THE SAME TIME AS THOSE FOR THE UNDERLYING LICENSE; AND

(2) END AT MIDNIGHT.

(D) THE BOARD SHALL ADOPT REGULATIONS TO CARRY OUT THIS SECTION.

(E) (1) ~~THE~~ EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE ANNUAL PERMIT FEES ARE:

~~(1)~~ (I) \$50 FOR AN APPLICANT WHOSE LICENSE HAS AN OFF-SALE PRIVILEGE; AND

~~(2)~~ (II) \$500 FOR AN APPLICANT WHOSE LICENSE DOES NOT HAVE AN OFF-SALE PRIVILEGE.

(2) AN APPLICANT WHO HAS A REFILLABLE CONTAINER PERMIT MAY NOT BE CHARGED A FEE FOR A NONREFILLABLE CONTAINER PERMIT.

15-102.

This title applies only in Caroline County.

15-1101.

(a) The following sections of Title 4, Subtitle 11 (“Additional License Privileges”) of Division I of this article apply in the county without exception or variation:

(1) § 4-1102 (“Corkage — Consuming wine not purchased from license holder on licensed premises”); and

(2) § 4-1103 (“Removal of partially consumed bottle of wine from licensed premises”).

(b) Section 4-1105 (“Refillable container permit — Wine”) of Title 4, Subtitle 11 (“Additional License Privileges”) of Division I of this article does not apply in the county.

(c) THE FOLLOWING SECTIONS OF TITLE 4, SUBTITLE 11 (“ADDITIONAL LICENSE PRIVILEGES”) OF DIVISION I OF THIS ARTICLE APPLY IN THE COUNTY:

(1) [Section] § 4-1104 (“Refillable container permit — Draft beer”) [of Division I of this article applies in the county], subject to § 15-1102 of this subtitle; AND

(2) § 4-1106 (“NONREFILLABLE CONTAINER PERMIT — DRAFT BEER”), SUBJECT TO § 15-1103 OF THIS SUBTITLE.

15-1103.

(A) THE BOARD MAY ISSUE A NONREFILLABLE CONTAINER PERMIT FOR DRAFT BEER TO A HOLDER OF A CLASS B OR CLASS H LICENSE.

(B) THE HOURS OF SALE FOR THE PERMIT:

- (1) BEGIN AT THE SAME TIME FOR THE UNDERLYING LICENSE; AND**
- (2) END AT MIDNIGHT.**

(C) (1) ~~THE~~ EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE ANNUAL PERMIT FEE IS \$500.

(2) AN APPLICANT WHO HAS A REFILLABLE CONTAINER PERMIT MAY NOT BE CHARGED A FEE FOR A NONREFILLABLE CONTAINER PERMIT.

16-102.

This title applies only in Carroll County.

16-1101.

(a) The following sections of Title 4, Subtitle 11 (“Additional License Privileges”) of Division I of this article apply in the county without exception or variation:

(1) § 4-1102 (“Corkage — Consuming wine not purchased from license holder on licensed premises”); and

(2) § 4-1103 (“Removal of partially consumed bottle of wine from licensed premises”).

(b) Section 4-1105 (“Refillable container permit — Wine”) of Division I of this article does not apply in the county.

(c) THE FOLLOWING SECTIONS OF TITLE 4, SUBTITLE 11 (“ADDITIONAL LICENSE PRIVILEGES”) OF DIVISION I OF THIS ARTICLE APPLY IN THE COUNTY:

(1) [Section] § 4-1104 (“Refillable container permit — Draft beer”) [of Division I of this article applies in the county], subject to § 16-1102 of this subtitle; AND

(2) § 4-1106 (“NONREFILLABLE CONTAINER PERMIT — DRAFT BEER”), SUBJECT TO § 16-1103 OF THIS SUBTITLE.

16-1103.

(A) THE BOARD MAY ISSUE A NONREFILLABLE CONTAINER PERMIT FOR DRAFT BEER TO A HOLDER OF A CLASS A LICENSE, A CLASS B LICENSE, OR A CLASS D LICENSE.

(B) AN APPLICANT FOR THE PERMIT SHALL COMPLETE THE FORM THAT THE BOARD PROVIDES.

(C) THE HOURS OF SALE FOR THE PERMIT:

(1) BEGIN AT THE SAME TIME AS THOSE FOR THE UNDERLYING LICENSE; AND

(2) END AT MIDNIGHT.

(D) (1) ~~THE~~ EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE ANNUAL PERMIT FEES ARE:

~~(1)~~ (I) \$50 FOR AN APPLICANT WHOSE LICENSE HAS AN OFF-SALE PRIVILEGE; AND

~~(2)~~ (II) \$500 FOR AN APPLICANT WHOSE LICENSE DOES NOT HAVE AN OFF-SALE PRIVILEGE.

(2) AN APPLICANT WHO HAS A REFILLABLE CONTAINER PERMIT MAY NOT BE CHARGED A FEE FOR A NONREFILLABLE CONTAINER PERMIT.

17-102.

This title applies only in Cecil County.

17-1101.

(a) The following sections of Title 4, Subtitle 11 (“Additional License Privileges”) of Division I of this article apply in the county without exception or variation:

(1) § 4-1102 (“Corkage — Consuming wine not purchased from license holder on licensed premises”); and

(2) § 4-1103 (“Removal of partially consumed bottle of wine from licensed premises”).

(b) Section 4-1105 (“Refillable container permit — Wine”) of Division I of this article does not apply in the county.

(c) THE FOLLOWING SECTIONS OF TITLE 4, SUBTITLE 11 (“ADDITIONAL LICENSE PRIVILEGES”) OF DIVISION I OF THIS ARTICLE APPLY IN THE COUNTY:

(1) [Section] § 4-1104 (“Refillable container permit — Draft beer”) [of Division I of this article applies in the county], subject to § 17-1102 of this subtitle; AND

(2) § 4-1106 (“NONREFILLABLE CONTAINER PERMIT — DRAFT BEER”), SUBJECT TO § 17-1103 OF THIS SUBTITLE.

17-1103.

(A) THE BOARD MAY ISSUE A NONREFILLABLE CONTAINER PERMIT FOR DRAFT BEER TO A HOLDER OF A CLASS A LICENSE OR A CLASS B LICENSE.

(B) AN APPLICANT FOR THE PERMIT SHALL COMPLETE THE FORM THAT THE BOARD PROVIDES.

(C) THE HOURS OF SALE FOR THE PERMIT BEGIN AND END AT THE SAME TIME AS THOSE FOR THE UNDERLYING LICENSE.

(D) RECEIPTS COLLECTED UNDER THE PERMIT ARE TO BE INCLUDED IN THE CALCULATION OF AVERAGE DAILY RECEIPTS FROM THE SALE OF ALCOHOLIC BEVERAGES UNDER § 17-2001 OF THIS TITLE.

(E) THE BOARD SHALL ADOPT REGULATIONS TO CARRY OUT THIS SECTION.

(F) (1) THE EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE ANNUAL PERMIT FEE IS \$50.

(2) AN APPLICANT WHO HAS A REFILLABLE CONTAINER PERMIT MAY NOT BE CHARGED A FEE FOR A NONREFILLABLE CONTAINER PERMIT.

18-102.

This title applies only in Charles County.

18-1101.

(a) The following section of Title 4, Subtitle 11 (“Additional License Privileges”) of Division I of this article applies in the county without exception or variation:

(1) § 4-1102 (“Corkage — Consuming wine not purchased from license holder on licensed premises”); and

(2) § 4-1103 (“Removal of partially consumed bottle of wine from licensed premises”).

(b) Section 4-1105 (“Refillable container permit — Wine”) of Division I of this article does not apply in the county.

(c) **THE FOLLOWING SECTIONS OF TITLE 4, SUBTITLE 11 (“ADDITIONAL LICENSE PRIVILEGES”) OF DIVISION I OF THIS ARTICLE APPLY IN THE COUNTY:**

(1) [Section] § 4–1104 (“Refillable container permit — Draft beer”) [of Division I of this article applies in the county], subject to § 18–1102 of this subtitle; AND

(2) § 4–1106 (“NONREFILLABLE CONTAINER PERMIT — DRAFT BEER”), SUBJECT TO § 18–1103 OF THIS SUBTITLE.

18–1103.

(A) **THE BOARD MAY ISSUE A NONREFILLABLE CONTAINER PERMIT FOR DRAFT BEER TO A HOLDER OF A CLASS A LICENSE, A CLASS B LICENSE, OR A CLASS C LICENSE.**

(B) **AN APPLICANT FOR THE PERMIT SHALL COMPLETE THE FORM THAT THE BOARD PROVIDES.**

(C) **THE HOURS OF SALE FOR THE PERMIT:**

(1) **BEGIN AT THE SAME TIME AS THOSE FOR THE UNDERLYING LICENSE; AND**

(2) **END AT MIDNIGHT.**

(D) **(1) ~~THE~~ EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE ANNUAL PERMIT FEES ARE:**

~~(1)~~ **(I) \$50 FOR AN APPLICANT WHOSE LICENSE HAS AN OFF–SALE PRIVILEGE; AND**

~~(2)~~ **(II) \$500 FOR AN APPLICANT WHOSE LICENSE DOES NOT HAVE AN OFF–SALE PRIVILEGE.**

(2) AN APPLICANT WHO HAS A REFILLABLE CONTAINER PERMIT MAY NOT BE CHARGED A FEE FOR A NONREFILLABLE CONTAINER PERMIT.

19–102.

This title applies only in Dorchester County.

19–1101.

(a) The following sections of Title 4, Subtitle 11 (“Additional License Privileges”) of Division I of this article apply in the county without exception or variation:

(1) § 4–1102 (“Corkage — Consuming wine not purchased from license holder on licensed premises”); and

(2) § 4–1103 (“Removal of partially consumed bottle of wine from licensed premises”).

(b) Section 4–1105 (“Refillable container permit — Wine”) of Division I of this article does not apply in the county.

(c) **THE FOLLOWING SECTIONS OF TITLE 4, SUBTITLE 11 (“ADDITIONAL LICENSE PRIVILEGES”) OF DIVISION I OF THIS ARTICLE APPLY IN THE COUNTY:**

(1) [Section] § 4–1104 (“Refillable container permit — Draft beer”) [of Division I of this article applies in the county], subject to § 19–1102 of this subtitle; **AND**

(2) **§ 4–1106 (“NONREFILLABLE CONTAINER PERMIT — DRAFT BEER”), SUBJECT TO § 19–1103 OF THIS SUBTITLE.**

19–1103.

(A) THE BOARD MAY ISSUE A NONREFILLABLE CONTAINER PERMIT FOR DRAFT BEER TO A HOLDER OF:

(1) **A CLASS B BEER LICENSE;**

(2) **A CLASS B BEER AND WINE LICENSE;**

(3) **A CLASS B BEER, WINE, AND LIQUOR LICENSE;**

(4) **A CLASS D BEER LICENSE;**

(5) **A CLASS D BEER AND WINE LICENSE; OR**

(6) **A CLASS D BEER, WINE, AND LIQUOR LICENSE.**

(B) AN APPLICANT FOR THE PERMIT SHALL COMPLETE THE FORM THAT THE BOARD PROVIDES.

(C) THE HOURS OF SALE FOR THE PERMIT:

(1) BEGIN AT THE SAME TIME AS THOSE FOR THE UNDERLYING LICENSE; AND

(2) END AT MIDNIGHT.

(D) IN AN AREA OF THE LICENSED PREMISES THAT IS ACCESSIBLE TO THE PUBLIC, THE PERMIT HOLDER MAY NOT DISPLAY OR PROVIDE SHELVING FOR BEER FOR OFF-PREMISES CONSUMPTION.

(E) THE BOARD MAY ADOPT REGULATIONS TO CARRY OUT THIS SECTION, INCLUDING LIMITING THE NUMBER OF NONREFILLABLE CONTAINER PERMITS THAT MAY BE ISSUED IN THE COUNTY.

(F) (1) ~~THE~~ EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE ANNUAL PERMIT FEES ARE:

~~(1)~~ (I) \$50 FOR AN APPLICANT WHOSE LICENSE HAS AN OFF-SALE PRIVILEGE; AND

~~(2)~~ (II) \$500 FOR AN APPLICANT WHOSE LICENSE DOES NOT HAVE AN OFF-SALE PRIVILEGE.

(2) AN APPLICANT WHO HAS A REFILLABLE CONTAINER PERMIT MAY NOT BE CHARGED A FEE FOR A NONREFILLABLE CONTAINER PERMIT.

20-102.

This title applies only in Frederick County.

20-1101.

(a) The following sections of Title 4, Subtitle 11 (“Additional License Privileges”) of Division I of this article apply in the county without exception or variation:

(1) § 4-1102 (“Corkage — Consuming wine not purchased from license holder on licensed premises”); and

(2) § 4-1103 (“Removal of partially consumed bottle of wine from licensed premises”).

(b) The following sections of Title 4, Subtitle 11 (“Additional License Privileges”) of Division I of this article apply in the county:

(1) § 4-1104 (“Refillable container permit — Draft beer”), subject to § 20-1104 of this subtitle; [and]

(2) § 4-1105 (“Refillable container permit — Wine”), subject to § 20-1105 of this subtitle; **AND**

(3) § 4-1106 (“NONREFILLABLE CONTAINER PERMIT — DRAFT BEER”), SUBJECT TO § 20-1106 OF THIS SUBTITLE.

20-1106.

(A) THE BOARD MAY ISSUE A NONREFILLABLE CONTAINER PERMIT FOR DRAFT BEER TO A HOLDER OF A CLASS A LICENSE OR A CLASS B LICENSE.

(B) (1) THE EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE ANNUAL PERMIT FEE IS \$50.

(2) AN APPLICANT WHO HAS A REFILLABLE CONTAINER PERMIT MAY NOT BE CHARGED A FEE FOR A NONREFILLABLE CONTAINER PERMIT.

21-102.

This title applies only in Garrett County.

21-1101.

(a) Section 4-1103 (“Removal of partially consumed bottle of wine from licensed premises”) of Division I of this article applies in the county without exception or variation.

(b) Section 4-1105 (“Refillable container permit — Wine”) of Division I of this article does not apply in the county.

(c) The following sections of Title 4, Subtitle 11 (“Additional License Privileges”) of Division I of this article apply in the county:

(1) § 4-1102 (“Corkage — Consuming wine not purchased from license holder on licensed premises”), in addition to § 21-1102 of this subtitle; [and]

(2) § 4-1104 (“Refillable container permit — Draft beer”), subject to § 21-1104 of this subtitle; **AND**

(3) § 4-1106 (“NONREFILLABLE CONTAINER PERMIT — DRAFT BEER”), SUBJECT TO § 21-1104.1 OF THIS SUBTITLE.

21-1104.1.

(A) THE BOARD MAY ISSUE A NONREFILLABLE CONTAINER PERMIT FOR DRAFT BEER TO A HOLDER OF A DRAFT BEER PERMIT WHO ALSO HOLDS ANY OTHER LICENSE EXCEPT A CLASS A LICENSE OR A CLASS C LICENSE.

(B) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 1 YEAR OR A FINE NOT EXCEEDING \$5,000 OR BOTH.

22-102.

This title applies only in Harford County.

22-1101.

(a) The following sections of Title 4, Subtitle 11 (“Additional License Privileges”) of Division I of this article apply in the county without exception or variation:

(1) § 4-1102 (“Corkage — Consuming wine not purchased from license holder on licensed premises”); and

(2) § 4-1103 (“Removal of partially consumed bottle of wine from licensed premises”).

(b) The following sections of Title 4, Subtitle 11 (“Additional License Privileges”) of Division I of this article apply in the county:

(1) § 4-1104 (“Refillable container permit — Draft beer”), subject to § 22-1102 of this subtitle; [and]

(2) § 4-1105 (“Refillable container permit — Wine”), subject to § 22-1103 of this subtitle; AND

(3) § 4-1106 (“NONREFILLABLE CONTAINER PERMIT — DRAFT BEER”), SUBJECT TO § 22-1104 OF THIS SUBTITLE.

22-1104.

(A) THE BOARD MAY ISSUE A NONREFILLABLE CONTAINER PERMIT FOR DRAFT BEER TO A HOLDER OF:

(1) A CLASS A-1 LICENSE;

(2) A CLASS A-2 LICENSE;

(3) A CLASS B LICENSE THAT HAS OFF-SALE PRIVILEGES; OR

(4) A CLASS D LICENSE.

(B) (1) ~~THE~~ EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE ANNUAL PERMIT FEE IS \$50.

(2) AN APPLICANT WHO HAS A REFILLABLE CONTAINER PERMIT MAY NOT BE CHARGED A FEE FOR A NONREFILLABLE CONTAINER PERMIT.

23-102.

This title applies only in Howard County.

23-1101.

(a) The following sections of Title 4, Subtitle 11 (“Additional License Privileges”) of Division I of this article apply in the county without exception or variation:

(1) § 4-1102 (“Corkage — Consuming wine not purchased from license holder on licensed premises”); and

(2) § 4-1103 (“Removal of partially consumed bottle of wine from licensed premises”).

(b) The following sections of Title 4, Subtitle 11 (“Additional License Privileges”) of Division I of this article apply in the county:

(1) § 4-1104 (“Refillable container permit — Draft beer”), subject to § 23-1102 of this subtitle; [and]

(2) § 4-1105 (“Refillable container permit — Wine”), subject to § 23-1103 of this subtitle; AND

(3) **§ 4-1106 (“NONREFILLABLE CONTAINER PERMIT — DRAFT BEER”), SUBJECT TO § 23-1104 OF THIS SUBTITLE.**

23-1104.

(A) **THE BOARD MAY ISSUE A NONREFILLABLE CONTAINER PERMIT FOR DRAFT BEER TO A HOLDER OF ANY CLASS OF LICENSE EXCEPT A CLASS C LICENSE AND A CLASS GC LICENSE.**

(B) **AN APPLICANT FOR THE PERMIT SHALL COMPLETE THE FORM THAT THE BOARD PROVIDES.**

(C) THERE IS NO FEE FOR THE PERMIT.

25-102.

This title applies only in Montgomery County.

25-1101.

(a) Section 4-1103 (“Removal of partially consumed bottle of wine from licensed premises”) of Division I of this article applies in the county without exception or variation.

(b) The following sections of Title 4, Subtitle 11 (“Additional License Privileges”) of Division I of this article apply in the county:

(1) § 4-1102 (“Corkage — Consuming wine not purchased from license holder on licensed premises”), in addition to § 25-1102 of this subtitle;

(2) § 4-1104 (“Refillable container permit — Draft beer”), subject to § 25-1103 of this subtitle; [and]

(3) § 4-1105 (“Refillable container permit — Wine”), subject to § 25-1104 of this subtitle; AND

(4) § 4-1106 (“NONREFILLABLE CONTAINER PERMIT — DRAFT BEER”), SUBJECT TO § 25-1104.1 OF THIS SUBTITLE.

25-1104.1.

(A) THE BOARD MAY ISSUE A NONREFILLABLE CONTAINER PERMIT FOR DRAFT BEER TO A HOLDER OF A CLASS B BEER AND WINE LICENSE, A CLASS D BEER AND WINE LICENSE, OR A CLASS BD-BWL LICENSE.

(B) AN APPLICANT FOR THE PERMIT SHALL COMPLETE THE FORM THAT THE BOARD PROVIDES.

(C) THE HOURS OF SALE FOR THE PERMIT BEGIN AND END AT THE SAME TIME AS THOSE FOR THE UNDERLYING LICENSE.

(D) THE PERMIT MAY BE RENEWED EACH YEAR WITH THE RENEWAL OF THE UNDERLYING LICENSE.

(E) THE BOARD SHALL ISSUE THE PERMIT AT NO COST TO THE APPLICANT.

26-102.

This title applies only in Prince George's County.

26-1101.

(a) The following sections of Title 4, Subtitle 11 ("Additional License Privileges") of Division I of this article apply in the county without exception or variation:

(1) § 4-1102 ("Corkage — Consuming wine not purchased from license holder on licensed premises"); and

(2) § 4-1103 ("Removal of partially consumed bottle of wine from licensed premises").

(b) Section 4-1105 ("Refillable container permit — Wine") of Division I of this article does not apply in the county.

(c) **THE FOLLOWING SECTIONS OF TITLE 4, SUBTITLE 11 ("ADDITIONAL LICENSE PRIVILEGES") OF DIVISION I OF THIS ARTICLE APPLY IN THE COUNTY:**

(1) [Section] § 4-1104 ("Refillable container permit — Draft beer") [of Division I of this article applies in the county], subject to § 26-1102 of this subtitle; **AND**

(2) **§ 4-1106 ("NONREFILLABLE CONTAINER PERMIT — DRAFT BEER"), SUBJECT TO § 26-1102.1 OF THIS SUBTITLE.**

26-1102.1.

(A) THE BOARD MAY ISSUE A NONREFILLABLE CONTAINER PERMIT FOR DRAFT BEER TO A HOLDER OF A CLASS B BEER, WINE, AND LIQUOR LICENSE WITH OFF-SALE PRIVILEGES.

(B) AN APPLICANT FOR THE PERMIT SHALL COMPLETE THE FORM THAT THE BOARD PROVIDES.

(C) THE HOURS OF SALE FOR THE PERMIT:

(1) BEGIN AT THE SAME TIME AS THOSE FOR THE UNDERLYING LICENSE; AND

(2) END AT MIDNIGHT.

(D) THE BOARD SHALL ADOPT REGULATIONS TO CARRY OUT THIS SECTION.

(E) (1) ~~THE~~ EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE BOARD SHALL SET AN ANNUAL PERMIT FEE.

(2) AN APPLICANT WHO HAS A REFILLABLE CONTAINER PERMIT MAY NOT BE CHARGED A FEE FOR A NONREFILLABLE CONTAINER PERMIT.

27-102.

This title applies only in Queen Anne's County.

27-1101.

(a) The following sections of Title 4, Subtitle 11 ("Additional License Privileges") of Division I of this article apply in the county without exception or variation:

(1) § 4-1102 ("Corkage — Consuming wine not purchased from license holder on licensed premises"); and

(2) § 4-1103 ("Removal of partially consumed bottle of wine from licensed premises").

(b) Section 4-1105 ("Refillable container permit — Wine") of Division I of this article does not apply in the county.

(c) THE FOLLOWING SECTIONS OF TITLE 4, SUBTITLE 11 ("ADDITIONAL LICENSE PRIVILEGES") OF DIVISION I OF THIS ARTICLE APPLY IN THE COUNTY:

(1) [Section] § 4-1104 ("Refillable container permit — Draft beer") [of Division I of this article applies in the county], subject to § 27-1102 of this subtitle; AND

(2) § 4-1106 ("NONREFILLABLE CONTAINER PERMIT — DRAFT BEER"), SUBJECT TO § 27-1103 OF THIS SUBTITLE.

27-1103.

(A) THE BOARD MAY ISSUE A NONREFILLABLE CONTAINER PERMIT FOR DRAFT BEER TO A HOLDER OF A CLASS A LICENSE, A CLASS B LICENSE, A CLASS C LICENSE, OR A CLASS D LICENSE.

(B) AN APPLICANT FOR THE PERMIT SHALL COMPLETE THE FORM THAT THE BOARD PROVIDES.

(C) THE HOURS OF SALE FOR THE PERMIT:

(1) BEGIN AT THE SAME TIME AS THOSE FOR THE UNDERLYING LICENSE; AND

(2) END AT MIDNIGHT.

(D) (1) ~~THE~~ EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE ANNUAL PERMIT FEES ARE:

~~(1)~~ (I) \$50 FOR AN APPLICANT WHOSE LICENSE HAS AN OFF-SALE PRIVILEGE; AND

~~(2)~~ (II) \$500 FOR AN APPLICANT WHOSE LICENSE DOES NOT HAVE AN OFF-SALE PRIVILEGE.

(2) AN APPLICANT WHO HAS A REFILLABLE CONTAINER PERMIT MAY NOT BE CHARGED A FEE FOR A NONREFILLABLE CONTAINER PERMIT.

28-102.

This title applies only in St. Mary's County.

28-1101.

(a) The following sections of Title 4, Subtitle 11 ("Additional License Privileges") of Division I of this article apply in the county without exception or variation:

(1) § 4-1102 ("Corkage — Consuming wine not purchased from license holder on licensed premises"); and

(2) § 4-1103 ("Removal of partially consumed bottle of wine from licensed premises").

(b) Section 4-1105 ("Refillable container permit — Wine") of Division I of this article does not apply in the county.

(c) **THE FOLLOWING SECTIONS OF TITLE 4, SUBTITLE 11 ("ADDITIONAL LICENSE PRIVILEGES") OF DIVISION I OF THIS ARTICLE APPLY IN THE COUNTY:**

(1) [Section] § 4-1104 ("Refillable container permit — Draft beer") [of Division I of this article applies in the county], subject to § 28-1102 of this subtitle; AND

(2) § 4-1106 ("NONREFILLABLE CONTAINER PERMIT — DRAFT BEER"), SUBJECT TO § 28-1103 OF THIS SUBTITLE.

28-1103.

(A) THE BOARD MAY ISSUE A NONREFILLABLE CONTAINER PERMIT FOR DRAFT BEER TO A HOLDER OF A CLASS A LICENSE, A CLASS B LICENSE, OR A CLASS D LICENSE.

(B) AN APPLICANT FOR THE PERMIT SHALL COMPLETE THE FORM THAT THE BOARD PROVIDES.

(C) THE HOURS OF SALE FOR THE PERMIT:

(1) BEGIN AT THE SAME TIME AS THOSE FOR THE UNDERLYING LICENSE; AND

(2) END AT MIDNIGHT.

(D) THE BOARD SHALL ADOPT REGULATIONS TO CARRY OUT THIS SECTION.

(E) (1) ~~THE~~ EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE BOARD MAY CHARGE ANNUAL PERMIT FEES OF UP TO:

~~(1)~~ (I) \$50 FOR AN APPLICANT WHO HOLDS AN UNDERLYING LICENSE WITH AN OFF-SALE PRIVILEGE; OR

~~(2)~~ (II) \$500 FOR AN APPLICANT WHO HOLDS AN UNDERLYING LICENSE WITHOUT AN OFF-SALE PRIVILEGE.

(2) AN APPLICANT WHO HAS A REFILLABLE CONTAINER PERMIT MAY NOT BE CHARGED A FEE FOR A NONREFILLABLE CONTAINER PERMIT.

31-102.

This title applies only in Washington County.

31-1101.

(a) The following sections of Title 4, Subtitle 11 ("Additional License Privileges") of Division I of this article apply in the county without exception or variation:

(1) § 4-1102 ("Corkage — Consuming wine not purchased from license holder on licensed premises"); and

(2) § 4-1103 ("Removal of partially consumed bottle of wine from licensed premises").

(b) Section 4-1105 (“Refillable container permit — Wine”) of Division I of this article does not apply in the county.

(c) **THE FOLLOWING SECTIONS OF TITLE 4, SUBTITLE 11 (“ADDITIONAL LICENSE PRIVILEGES”) OF DIVISION I OF THIS ARTICLE APPLY IN THE COUNTY:**

(1) [Section] § 4-1104 (“Refillable container permit — Draft beer”) [of Division I of this article applies in the county], subject to § 31-1102 of this subtitle; AND

(2) § 4-1106 (“NONREFILLABLE CONTAINER PERMIT — DRAFT BEER”), SUBJECT TO § 31-1102.1 OF THIS SUBTITLE.

31-1102.1.

(A) **THE BOARD MAY ISSUE A NONREFILLABLE CONTAINER PERMIT FOR DRAFT BEER TO A HOLDER OF A CLASS A LICENSE, A CLASS B LICENSE, OR A CLASS D LICENSE.**

(B) **AN APPLICANT FOR THE PERMIT SHALL COMPLETE THE FORM THAT THE BOARD PROVIDES.**

(C) **THE HOURS OF SALE FOR THE PERMIT:**

(1) **BEGIN AT THE SAME TIME AS THOSE FOR THE UNDERLYING LICENSE; AND**

(2) **END AT MIDNIGHT.**

(D) **(1) ~~THE~~ EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE ANNUAL PERMIT FEES ARE:**

~~(1)~~ **(I) \$50 FOR AN APPLICANT WHOSE LICENSE HAS AN OFF-SALE PRIVILEGE; AND**

~~(2)~~ **(II) \$500 FOR AN APPLICANT WHOSE LICENSE DOES NOT HAVE AN OFF-SALE PRIVILEGE.**

(2) AN APPLICANT WHO HAS A REFILLABLE CONTAINER PERMIT MAY NOT BE CHARGED A FEE FOR A NONREFILLABLE CONTAINER PERMIT.

32-102.

This title applies only in Wicomico County.

32-1101.

(a) The following sections of Title 4, Subtitle 11 (“Additional License Privileges”) of Division I of this article apply in the county without exception or variation:

(1) § 4-1102 (“Corkage — Consuming wine not purchased from license holder on licensed premises”); and

(2) § 4-1103 (“Removal of partially consumed bottle of wine from licensed premises”).

(b) Section 4-1105 (“Refillable container permit — Wine”) of Division I of this article does not apply in the county.

(c) **THE FOLLOWING SECTIONS OF TITLE 4, SUBTITLE 11 (“ADDITIONAL LICENSE PRIVILEGES”) OF DIVISION I OF THIS ARTICLE APPLY IN THE COUNTY:**

(1) [Section] § 4-1104 (“Refillable container permit — Draft beer”) [of Division I of this article applies in the county], subject to § 32-1102 of this subtitle; **AND**

(2) **§ 4-1106 (“NONREFILLABLE CONTAINER PERMIT — DRAFT BEER”), SUBJECT TO § 32-1103 OF THIS SUBTITLE.**

32-1103.

(A) THE BOARD MAY ISSUE A NONREFILLABLE CONTAINER PERMIT FOR DRAFT BEER TO A HOLDER OF ANY LICENSE ISSUED BY THE BOARD EXCEPT A CLASS C LICENSE, CLASS D LICENSE, CLASS B-CONFERENCE CENTER LICENSE, AND CLASS B-STADIUM LICENSE.

(B) AN APPLICANT FOR THE PERMIT SHALL COMPLETE THE FORM THAT THE BOARD PROVIDES.

(C) THE HOURS OF SALE FOR THE PERMIT:

(1) BEGIN AT THE SAME TIME AS THOSE FOR THE UNDERLYING LICENSE; AND

(2) END AT MIDNIGHT.

(D) RECEIPTS COLLECTED UNDER THE PERMIT ARE TO BE INCLUDED IN THE CALCULATION OF AVERAGE DAILY RECEIPTS FROM THE SALE OF ALCOHOLIC BEVERAGES UNDER A CLASS B RESTAURANT LICENSE, CLASS B HOTEL LICENSE, AND CLASS B GOLF COURSE LICENSE.

(E) (1) ~~THE~~ EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE ANNUAL PERMIT FEE IS \$500.

(2) AN APPLICANT WHO HAS A REFILLABLE CONTAINER PERMIT MAY NOT BE CHARGED A FEE FOR A NONREFILLABLE CONTAINER PERMIT.

33-102.

This title applies only in Worcester County.

33-1101.

(a) The following sections of Title 4, Subtitle 11 (“Additional License Privileges”) of Division I of this article apply in the county without exception or variation:

(1) § 4-1102 (“Corkage — Consuming wine not purchased from license holder on licensed premises”); and

(2) § 4-1103 (“Removal of partially consumed bottle of wine from licensed premises”).

(b) Section 4-1105 (“Refillable container permit — Wine”) of Title 4, Subtitle 11 (“Additional License Privileges”) of Division I of this article does not apply in the county.

(c) THE FOLLOWING SECTIONS OF TITLE 4, SUBTITLE 11 (“ADDITIONAL LICENSE PRIVILEGES”) OF DIVISION I OF THIS ARTICLE APPLY IN THE COUNTY:

(1) [Section] § 4-1104 (“Refillable container permit — Draft beer”) [of Title 4, Subtitle 11 (“Additional License Privileges”) of Division I of this article applies in the county], subject to § 33-1103 of this subtitle; AND

(2) § 4-1106 (“NONREFILLABLE CONTAINER PERMIT — DRAFT BEER”), SUBJECT TO § 33-1104 OF THIS SUBTITLE.

33-1104.

(A) THE BOARD MAY ISSUE A NONREFILLABLE CONTAINER PERMIT FOR DRAFT BEER TO A HOLDER OF A CLASS B LICENSE OR A CLASS D LICENSE.

(B) (1) BEFORE THE BOARD ISSUES THE PERMIT TO AN APPLICANT, THE APPLICANT SHALL:

~~(1)~~ (I) COMPLETE THE FORM THAT THE BOARD PROVIDES; AND

~~(2)~~ **(II) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, PAY AN ANNUAL PERMIT FEE OF \$500.**

(2) AN APPLICANT WHO HAS A REFILLABLE CONTAINER PERMIT MAY NOT BE CHARGED A FEE FOR A NONREFILLABLE CONTAINER PERMIT.

(C) THE HOURS OF SALE FOR THE PERMIT:

(1) BEGIN AT THE SAME TIME AS THOSE FOR THE UNDERLYING LICENSE; AND

(2) END AT MIDNIGHT.

(D) RECEIPTS COLLECTED UNDER THE PERMIT SHALL BE INCLUDED IN THE CALCULATION OF AVERAGE DAILY RECEIPTS FROM THE SALE OF ALCOHOLIC BEVERAGES UNDER A CLASS B RESTAURANT LICENSE AND A CLASS B HOTEL LICENSE.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2017.

Approved by the Governor, April 18, 2017.