

SENATE BILL 491

A1

7lr1750
CF HB 292

By: **Senator Ready**

Introduced and read first time: January 30, 2017

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Alcoholic Beverages – Nonrefillable Containers – Draft Beer**

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

8 BY adding to

9 Article – Alcoholic Beverages

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

13 Annotated Code of Maryland

14 (2016 Volume and 2016 Supplement)

15 BY repealing and reenacting, without amendments,

16 Article – Alcoholic Beverages

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

20 Annotated Code of Maryland

21 (2016 Volume and 2016 Supplement)

22 BY repealing and reenacting, with amendments,

23 Article – Alcoholic Beverages

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

27 Annotated Code of Maryland

28 (2016 Volume and 2016 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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:**

(I) BE CONSTRUCTED OUT OF ALUMINUM;

(II) BE SEALABLE;

(III) HAVE A CAPACITY OF 32 OUNCES;

**(IV) BE BRANDED WITH THE IDENTIFYING MARKS OF THE
SELLER OF THE CONTAINER; AND**

**(V) BEAR THE FEDERAL HEALTH WARNING STATEMENT
REQUIRED FOR CONTAINERS OF ALCOHOLIC BEVERAGES UNDER 27 C.F.R. 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) THE ANNUAL PERMIT FEES ARE:

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

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

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) THE ANNUAL PERMIT FEES ARE:

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

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

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) THE ANNUAL PERMIT FEES ARE:

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

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

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) THE BOARD MAY CHARGE ANNUAL PERMIT FEES OF NOT MORE THAN:

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

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

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) **THE ANNUAL PERMIT FEES ARE:**

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

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

1 15-102.

2 This title applies only in Caroline County.

3 15-1101.

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

6 (1) § 4-1102 (“Corkage — Consuming wine not purchased from license
7 holder on licensed premises”); and

8 (2) § 4-1103 (“Removal of partially consumed bottle of wine from licensed
9 premises”).

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

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

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

16 (2) **§ 4-1106 (“NONREFILLABLE CONTAINER PERMIT — DRAFT**
17 **BEER”), SUBJECT TO § 15-1103 OF THIS SUBTITLE.**

18 **15-1103.**

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

21 (B) **THE HOURS OF SALE FOR THE PERMIT:**

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

23 (2) **END AT MIDNIGHT.**

24 (C) **THE ANNUAL PERMIT FEE IS \$500.**

25 16-102.

26 This title applies only in Carroll County.

1 16–1101.

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

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

6 (2) § 4–1103 (“Removal of partially consumed bottle of wine from licensed
7 premises”).

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

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

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

14 (2) **§ 4–1106 (“NONREFILLABLE CONTAINER PERMIT — DRAFT**
15 **BEER”), SUBJECT TO § 16–1103 OF THIS SUBTITLE.**

16 **16–1103.**

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

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

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

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

25 (2) **END AT MIDNIGHT.**

26 (D) **THE ANNUAL PERMIT FEES ARE:**

27 (1) **\$50 FOR AN APPLICANT WHOSE LICENSE HAS AN OFF–SALE**
28 **PRIVILEGE; AND**

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

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) THE ANNUAL PERMIT FEE IS \$50.

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

1 **(2) END AT MIDNIGHT.**

2 **(D) THE ANNUAL PERMIT FEES ARE:**

3 **(1) \$50 FOR AN APPLICANT WHOSE LICENSE HAS AN OFF-SALE**
4 **PRIVILEGE; AND**

5 **(2) \$500 FOR AN APPLICANT WHOSE LICENSE DOES NOT HAVE AN**
6 **OFF-SALE PRIVILEGE.**

7 19-102.

8 This title applies only in Dorchester County.

9 19-1101.

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

12 (1) § 4-1102 (“Corkage — Consuming wine not purchased from license
13 holder on licensed premises”); and

14 (2) § 4-1103 (“Removal of partially consumed bottle of wine from licensed
15 premises”).

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

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

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

22 **(2) § 4-1106 (“NONREFILLABLE CONTAINER PERMIT — DRAFT**
23 **BEER”), SUBJECT TO § 19-1103 OF THIS SUBTITLE.**

24 19-1103.

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

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

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

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

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

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

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

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

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

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

10 **(2) END AT MIDNIGHT.**

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

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

17 **(F) THE ANNUAL PERMIT FEES ARE:**

18 **(1) \$50 FOR AN APPLICANT WHOSE LICENSE HAS AN OFF-SALE**
19 **PRIVILEGE; AND**

20 **(2) \$500 FOR AN APPLICANT WHOSE LICENSE DOES NOT HAVE AN**
21 **OFF-SALE PRIVILEGE.**

22 20-102.

23 This title applies only in Frederick County.

24 20-1101.

25 (a) The following sections of Title 4, Subtitle 11 (“Additional License Privileges”)
26 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) THE ANNUAL PERMIT FEE IS \$50.

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 **(1) A CLASS A-1 LICENSE;**

2 **(2) A CLASS A-2 LICENSE;**

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

4 **(4) A CLASS D LICENSE.**

5 **(B) THE ANNUAL PERMIT FEE IS \$50.**

6 23-102.

7 This title applies only in Howard County.

8 23-1101.

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

11 (1) § 4-1102 (“Corkage — Consuming wine not purchased from license
12 holder on licensed premises”); and

13 (2) § 4-1103 (“Removal of partially consumed bottle of wine from licensed
14 premises”).

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

17 (1) § 4-1104 (“Refillable container permit — Draft beer”), subject to §
18 23-1102 of this subtitle; [and]

19 (2) § 4-1105 (“Refillable container permit — Wine”), subject to § 23-1103
20 of this subtitle; AND

21 **(3) § 4-1106 (“NONREFILLABLE CONTAINER PERMIT — DRAFT**
22 **BEER”), SUBJECT TO § 23-1104 OF THIS SUBTITLE.**

23 **23-1104.**

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

27 **(B) AN APPLICANT FOR THE PERMIT SHALL COMPLETE THE FORM THAT**
28 **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.

1 This title applies only in Prince George's County.

2 26-1101.

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

5 (1) § 4-1102 ("Corkage — Consuming wine not purchased from license
6 holder on licensed premises"); and

7 (2) § 4-1103 ("Removal of partially consumed bottle of wine from licensed
8 premises").

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

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

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

15 (2) **§ 4-1106 ("NONREFILLABLE CONTAINER PERMIT — DRAFT**
16 **BEER"), SUBJECT TO § 26-1102.1 OF THIS SUBTITLE.**

17 **26-1102.1.**

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

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

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

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

26 (2) **END AT MIDNIGHT.**

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

28 (E) **THE BOARD SHALL SET AN ANNUAL PERMIT FEE.**

1 27-102.

2 This title applies only in Queen Anne's County.

3 27-1101.

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

6 (1) § 4-1102 ("Corkage — Consuming wine not purchased from license
7 holder on licensed premises"); and

8 (2) § 4-1103 ("Removal of partially consumed bottle of wine from licensed
9 premises").

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

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

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

16 (2) **§ 4-1106 ("NONREFILLABLE CONTAINER PERMIT — DRAFT**
17 **BEER"), SUBJECT TO § 27-1103 OF THIS SUBTITLE.**

18 **27-1103.**

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

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

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

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

27 (2) **END AT MIDNIGHT.**

28 (D) **THE ANNUAL PERMIT FEES ARE:**

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

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

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) THE BOARD MAY CHARGE ANNUAL PERMIT FEES OF UP TO:

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

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

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) THE ANNUAL PERMIT FEES ARE:

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

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

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) THE ANNUAL PERMIT FEE IS \$500.

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

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

(2) PAY AN ANNUAL PERMIT FEE OF \$500.

(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.