

SENATE BILL 495

A2

(4lr1970)

ENROLLED BILL

— *Education, Health, and Environmental Affairs/Economic Matters* —

Introduced by **Calvert County Senators**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o'clock, _____ M.

President.

CHAPTER _____

1 AN ACT concerning

2 **Calvert County – Alcoholic Beverages – Premises Inspections and Penalties**

3 FOR the purpose of authorizing the Calvert County Board of License Commissioners,
4 or its designee, to inspect each licensed premises in the county, *at certain*
5 *intervals*, rather than requiring the Board to inspect every licensed premises in
6 the county at least once every 3 months; authorizing the Board of License
7 Commissioners for Calvert County to impose certain fines or suspend an
8 alcoholic beverages license under certain circumstances; authorizing the Board
9 to impose certain penalties if an alcoholic beverages licensee or an employee of
10 the licensee sells alcoholic beverages to a person under the age of 21 years;
11 specifying that certain money collected be deposited into the general fund of the
12 county; requiring the Board to consider certain factors in determining the
13 length of a certain suspension to be imposed; requiring the Board to impose a
14 fine in accordance with a certain provision of law; making certain stylistic
15 changes; and generally relating to alcoholic beverages in Calvert County.

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.

Italics indicate opposite chamber/conference committee amendments.



1 BY repealing and reenacting, with amendments,
 2 Article 2B – Alcoholic Beverages
 3 Section 16–402
 4 Annotated Code of Maryland
 5 (2011 Replacement Volume and 2013 Supplement)

6 BY adding to
 7 Article 2B – Alcoholic Beverages
 8 Section 16–507(f)
 9 Annotated Code of Maryland
 10 (2011 Replacement Volume and 2013 Supplement)

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

13 **Article 2B – Alcoholic Beverages**

14 16–402.

15 In Calvert County, the Board of License Commissioners [shall], **OR ITS**
 16 **DESIGNEE, MAY** inspect [every] **EACH** licensed premises in the county ~~at least once~~
 17 every ~~three~~ **SIX** months].

18 16–507.

19 **(F) (1) THIS SUBSECTION APPLIES ONLY IN CALVERT COUNTY.**

20 **(2) NOTWITHSTANDING ANY OTHER PROVISION OF THIS ARTICLE,**
 21 **THE BOARD OF LICENSE COMMISSIONERS MAY:**

22 **(I) EXCEPT FOR A VIOLATION REGARDING A BOTTLE CLUB,**
 23 **IMPOSE A FINE NOT EXCEEDING:**

24 **1. ~~\$2,500~~ \$1,000 FOR A VIOLATION OF STATE LAW;**

25 **OR**

26 **2. \$500 FOR A VIOLATION OF THE RULES AND**
 27 **REGULATIONS OF THE BOARD; OR**

28 **(II) SUSPEND AN ALCOHOLIC BEVERAGES LICENSE FOR A**
 29 **VIOLATION OF ANY ALCOHOLIC BEVERAGES LAW THAT APPLIES IN THE COUNTY.**

1 **(3) IF AN ALCOHOLIC BEVERAGES LICENSEE OR AN EMPLOYEE OF**
 2 **AN ALCOHOLIC BEVERAGES LICENSEE SELLS ALCOHOLIC BEVERAGES TO A**
 3 **PERSON UNDER THE AGE OF 21 YEARS, THE BOARD MAY:**

4 **(I) FOR A FIRST OFFENSE, SUSPEND THE LICENSE FOR NOT**
 5 **MORE THAN 3 DAYS OR IMPOSE A FINE NOT EXCEEDING \$500 OR BOTH; AND**

6 **(II) FOR AN OFFENSE OCCURRING WITHIN ~~5~~ 3 YEARS AFTER**
 7 **A PRIOR OFFENSE, SUSPEND THE LICENSE FOR NOT MORE THAN 30 DAYS OR**
 8 **IMPOSE A FINE NOT EXCEEDING ~~\$2,500~~ \$1,000 OR BOTH.**

9 **(4) MONEY COLLECTED UNDER THIS SUBSECTION SHALL BE**
 10 **DEPOSITED INTO THE GENERAL FUND OF THE COUNTY.**

11 **(5) IN DETERMINING THE LENGTH OF A SUSPENSION UNDER**
 12 **PARAGRAPH (3)(II) OF THIS SUBSECTION, THE BOARD SHALL CONSIDER ~~THE~~**
 13 **~~CLASS OF LICENSE AND THE ECONOMIC IMPACT THE SUSPENSION WILL HAVE~~**
 14 **~~ON THE BUSINESS OF THE LICENSEE.~~**

15 **(I) THE CLASS OF LICENSE; AND**

16 **(II) THE ECONOMIC IMPACT THE SUSPENSION WILL HAVE**
 17 **ON:**

18 **1. THE BUSINESS OF THE LICENSEE; AND**

19 **2. EMPLOYEES OF THE LICENSEE.**

20 **(6) THE BOARD SHALL IMPOSE A FINE UNDER THIS SUBSECTION**
 21 **IN ACCORDANCE WITH § 10-1001 OF THE STATE GOVERNMENT ARTICLE.**

22 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
 23 July 1, 2014.