ALCOHOL RELATED LEGISLATION THAT PASSED IN 2014

<table>
<thead>
<tr>
<th>County</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Statewide</td>
<td>2-8</td>
</tr>
<tr>
<td>Allegany County – No New Legislation</td>
<td></td>
</tr>
<tr>
<td>Anne Arundel County</td>
<td>9</td>
</tr>
<tr>
<td>- City of Annapolis – No New Legislation</td>
<td></td>
</tr>
<tr>
<td>Baltimore City</td>
<td>9-10</td>
</tr>
<tr>
<td>Baltimore County</td>
<td>10-11</td>
</tr>
<tr>
<td>Calvert County</td>
<td>11-12</td>
</tr>
<tr>
<td>Caroline County</td>
<td>12</td>
</tr>
<tr>
<td>Carroll County</td>
<td>12</td>
</tr>
<tr>
<td>Cecil County – No New Legislation</td>
<td></td>
</tr>
<tr>
<td>Charles County</td>
<td>13</td>
</tr>
<tr>
<td>Dorchester County</td>
<td>13</td>
</tr>
<tr>
<td>Frederick County</td>
<td>13-14</td>
</tr>
<tr>
<td>Garrett County</td>
<td>14-15</td>
</tr>
<tr>
<td>Harford County</td>
<td>15-16</td>
</tr>
<tr>
<td>Howard County</td>
<td>16</td>
</tr>
<tr>
<td>Kent County</td>
<td>16</td>
</tr>
<tr>
<td>Montgomery County</td>
<td>16-19</td>
</tr>
<tr>
<td>Prince George’s County</td>
<td>19</td>
</tr>
<tr>
<td>Queen Anne’s County – No New Legislation</td>
<td></td>
</tr>
<tr>
<td>Saint Mary’s County</td>
<td>19</td>
</tr>
<tr>
<td>Somerset County</td>
<td>19</td>
</tr>
<tr>
<td>Talbot County – No New Legislation</td>
<td></td>
</tr>
<tr>
<td>Washington County</td>
<td>19</td>
</tr>
<tr>
<td>Wicomico County – No New Legislation</td>
<td></td>
</tr>
<tr>
<td>Worcester County</td>
<td>20</td>
</tr>
</tbody>
</table>
STATEWIDE ALCOHOL RELATED LEGISLATION THAT PASSED IN 2014

Excerpts from: THE 90 DAY REPORT, A Review of the 2014 Legislative Session
By: Department of Legislative Services, MARYLAND GENERAL ASSEMBLY

http://mgaleg.maryland.gov/Pubs/legislegal/2014rs-90-day-report.pdf

Refillable Containers – “Growlers” (90 Day Report, Part H42-43)

In 2012, Baltimore City and Howard County allowed certain retail establishments to sell beer in refillable containers (commonly called “growlers”). In 2013, refillable container licenses were expanded to several more jurisdictions and, in Howard County a refillable container license for wine was created. Chapter 589 of 2013 expanded the concept to the manufacturer’s level by authorizing the Comptroller to issue a refillable container permit to a holder of a brewery license.

- **Senate Bill 546/House Bill 208 (both passed)** standardize the requirements for all refillable containers authorized by local jurisdictions for use in the sale of draft beer and wine for off-premises consumption. The bills rename a “refillable container license” as a “refillable container permit” to indicate that the authorization is secondary in nature and may be issued only to a person who already has an alcoholic beverages license. The bills consolidate, in one section of the law, the standards that refillable containers must meet. Most of these standards are scattered throughout the Alcoholic Beverages Article. The bills include a requirement that a refillable container be branded with an identifying mark of the seller of the container. Baltimore, Carroll, Harford, Prince George’s, and St. Mary’s counties are added to the roster of counties in which refillable container permits for beer may be issued. (The effective date of the bill is October 1, 2014.)

In addition, **Senate Bill 341/House Bill 1079 (both passed)** authorize the Board of License Commissioners in Calvert County to issue refillable container permits. This authority already exists in the following jurisdictions: the City of Annapolis; Baltimore City; and Anne Arundel, Cecil, Dorchester, Garrett, Howard, Montgomery, and Wicomico counties. A refillable container permit for wine may also be issued in Howard County.

The bills also authorize the Comptroller to adopt standards for refillable containers, including containers originating from outside the State. As a result, a permit holder in one jurisdiction in the State will be able to refill a customer’s container originating from another jurisdiction in the State or from outside the State, as long as the container meets standards that the Comptroller adopts. (The effective date of the bill is July 1, 2014.)

Beer and Breweries (90 Day Report, Part H43-44)

- **Brewing Company Off-site Permit:** **Senate Bill 226 (passed)** establishes a brewing company off-site permit. The Comptroller may issue a brewing company off-site permit to a Class 7 micro-brewery that produces less than 3,000 barrels per year or a Class 8 farm brewery subject to specified requirements. The permit may be used to sell to a consumer up to 288 ounces of beer that has been produced by the permit holder for off-premises consumption. The permit may also be used to sell beer at certain farmers’ markets and other events. (The effective date of the bill is July 1, 2014.)

- **Retail Sale of Prepackaged Beer:** **House Bill 464 (passed)** authorizes the holder of a Class 7 micro-brewery license to sell at retail to customers for consumption off the licensed premises prepackaged, nonrefillable containers of the micro-brewery’s own beer.
Farm Breweries – Location and Self-distribution: Chapter 207 of 2013 established a Class 7 limited beer wholesaler’s license that authorizes the license holder to sell, deliver, and distribute up to 3,000 barrels annually of its own beer produced at the holder’s premises to a retail license holder or permit holder in the State under specified circumstances. (The effective date of the bill is July 1, 2014.)

House Bill 337 (passed) authorizes a holder of a Class 8 farm brewery license to obtain a Class 7 limited beer wholesaler’s license. The bill also removes the prohibition on the issuance of a license for the sale of alcoholic beverages for any place of business located within specified election districts in Frederick County if the business is a holder of a Class 8 farm brewery license. (The effective date of the bill is July 1, 2014.)

Farm Breweries – Festival Licenses: Chapters 542 and 543 of 2012 established a Class 8 farm brewery manufacturer’s license. House Bill 356 (passed) expands the eligibility for special festival licenses in Baltimore City and Baltimore, Carroll, Dorchester, Frederick, Garrett, St. Mary’s, and Wicomico counties to include holders of a Class 8 farm brewery license. The bill specifies that, in Garrett County, a holder of a Class 8 farm brewery license may open on Sundays during specified hours in a precinct in an election district where the voters, in a referendum authorized by law, have approved Sunday beer sales at a farm. The bill also authorizes a holder of a Class 8 farm brewery license to enter into a written temporary delivery agreement with a distributor for the delivery and return of beer to a beer festival or a wine and beer festival, provided the festival is located within a sales territory for which the holder does not have a franchise with a distributor under the Beer Franchise Fair Dealing Act. (The effective date of the bill is July 1, 2014.)

Wine, Wineries, and Farmers’ Markets (90 Day Report, Part H44)

Farmers’ Market Permit: Chapter 396 of 2013, which established a winery off-site permit and a wine festival permit, repealed the Comptroller’s authority to issue a farmers’ market permit to a holder of a license other than a Class 4 limited winery license. House Bill 600 (passed) reestablishes the Comptroller’s authority to issue a farmers’ market permit to a holder of a license other than a Class 4 limited winery license if the license was issued by the local licensing board of the jurisdiction in which the farmers’ market will be held. (The effective date of the bill is July 1, 2014.)

Kosher Wine Seller’s Permit: Senate Bill 287 House Bill 830 (both failed) would have established a kosher wine seller’s permit. The bills were withdrawn in light of a compromise reached between the Comptroller, distributors of kosher wine, and the Maryland State Licensed Beverage Association (MSLBA). As a result of this compromise, kosher wine distributors will submit semi-annual lists of all the kosher wines they sell to the Comptroller. The Comptroller will then use these lists to create a website listing the kosher wines obtainable in Maryland and the corresponding distributor who sells these kosher wines. Finally, MSLBA will craft language designed to educate retailers on how to order kosher wines not listed in the Beverage Journal so that the Comptroller may include this information on its website.

Maximum Alcohol Content (90 Day Report, Part H44) An alcoholic beverage containing 95% alcohol (190 proof) or more is often referred to as “grain alcohol.” The retail sale of grain alcohol is illegal or restricted for nonpotable use in at least a dozen states, including neighboring Pennsylvania, Virginia, and West Virginia. Senate Bill 75 House Bill 359 (both
passed) prohibit a person from selling at retail an alcoholic beverage with an alcohol content by volume of 95% (190 proof) or more. (The effective date of the bill is July 1, 2014.)

**Hard Cider – Definition** (90 Day Report, Part H44-45)
According to the Comptroller, for several years, taxes have been submitted by manufacturers on what appears to be small quantities of pear cider (traditionally called perry) as it is brought into the State. *Senate Bill 161/House Bill 261 (both passed)* codify current practice by expanding the definition of “hard cider” to include a beverage derived primarily from pears, or pear concentrate and water, containing at least one-half of 1% and less than 7% of alcohol by volume. (The effective date of the bill is October 1, 2014.)

**Prohibition of Vaportinis and Similar Devices** (90 Day Report, Part H45)
- *House Bill 4 (passed)* expands the definition of an “alcohol without liquid (AWOL) machine” to include a Vaportini, or any similar device, that mixes an alcoholic product with pure oxygen or other gas to produce a vaporized product that can be inhaled. As a result, the bill expands an existing prohibition related to the use, possession, purchase, transfer, or sale of AWOL machines to apply to Vaportinis. (The effective date of the bill is July 1, 2014.)

- **Wages and Hours** The Maryland Wage and Hour Law is the State complement to the federal Fair Labor Standards Act (FLSA), and it specifies minimum wage and overtime requirements for employers and employees in the State. *House Bill 295 (passed)* requires employers in the State, starting on January 1, 2015, to pay the greater of the federal minimum wage (which in 2014 is $7.25 per hour) or a State minimum wage of $8.00 per hour to employees subject to various federal or State minimum wage requirements. The bill provides for subsequent increases in the State’s minimum wage through July 1, 2018, as follows:
  - on July 1, 2015, $8.25 per hour;
  - on July 1, 2016, $8.75 per hour,
  - on July 1, 2017, $9.25 per hour; and
  - on July 1, 2018, $10.10 per hour.

An employer may pay an employee a wage that equals 85% of the State minimum wage for the first six months that the employee is employed by the employer if the employee is younger than age 20. An amusement or recreational employer under specified conditions may pay an employee a wage that equals the greater of $7.25 or 85% of the State minimum wage.

Under *House Bill 295*, the base wage for a tipped employee in the State is set at $3.63. An employer, however, must make up any difference if the tipped employee’s base wage plus tips falls short of the applicable State minimum wage.

The bill repeals exemptions from minimum wage requirements for individuals who are age 62 or older and work 25 hours or less per week or employed in a motion picture theatre. In addition, an individual who is employed in a café, drive-in, drugstore, restaurant, tavern, or other similar establishment that sells food and drink for consumption on the premises and has an annual gross income of $400,000 or less, instead of $250,000 or less, is exempt from the State’s Wage and Hour Law.
Under State and federal law, employers are required to pay an overtime wage of at least 1.5 times the usual hourly wage, generally based on each hour over 40 hours that an employee works during a work week. The bill repeals various provisions that exempt employers from overtime requirements, including hotels, motels, restaurants, gas stations, private country clubs, and certain not-for-profit entities that provide temporary at-home care to aged or sick individuals, the disabled, or individuals with a mental disorder, because these State exemptions conflict with federal law. The bill also provides for liquidated damages to be awarded under specified circumstances to employees who are paid less than the minimum wage.

Charter counties have the authority to establish a local minimum wage rate under the Express Powers Act. Montgomery County and Prince George’s County passed local minimum wage laws in 2013, increasing the minimum in those counties to $11.50 by October 1, 2017. (The effective date of the bill is July 1, 2014.)

Unless a county provides for the local enforcement of its minimum wage law, the State has no legal obligation to enforce a county’s law. **House Bill 579 (passed)** requires the Commissioner of Labor and Industry to enforce a local minimum wage law. The commissioner, on his own initiative or on receipt of a written complaint, may investigate whether a local minimum wage law has been violated under the same powers and duties as the State’s Wage and Hour Law. (The effective date of the bill is June 1, 2014.)

**Leave Policy** The federal Family and Medical Leave Act (FMLA) requires covered employers with 50 or more employees, to provide eligible employees with up to 12 work weeks of unpaid leave during any 12-month period under the following conditions: the birth and care of an employee’s newborn child; the adoption or placement of a child with an employee for foster care; care for an immediate family member with a serious health condition; medical leave when the employee is unable to work due to a serious health condition; or any qualifying circumstance arising out of the fact that the employee’s spouse, son, daughter, or parent is a covered military member on “covered active duty.”

**Senate Bill 737 House Bill 1026 (both passed)** require employers with 15 to 49 employees in the State to provide employees with unpaid parental leave benefits. An eligible employee may take unpaid parental leave up to a total of six weeks in a 12-month period for the birth, adoption, or foster placement of a child. To be eligible for the unpaid parental leave, an employee must have worked for the employer for at least one year and for 1,250 hours in the previous 12 months. Prior to taking unpaid parental leave under the bills, an employer may require that an employee, or an employee may elect to, use paid leave, if available. During parental leave, the employer must maintain existing coverage for a group health plan and, in specified circumstances, may recover the premium if the employee fails to return to work. An employee has a right of action against an employer for damages caused by an employer’s noncompliance. (The effective date of the bill is October 1, 2014.)

**Impaired Driving** (90 Day Report, Part G5-6)
DSP reports that, for the five-year period from 2008 through 2012, an average of 8,035 crashes in Maryland annually involved a driver impaired by alcohol or drugs. The average number of fatal crashes annually during the same time period was 158, with an average of 175 fatalities annually. The average number of crashes annually involving an impaired driver that resulted in injury was 2,782, with an average of 4,192 persons injured annually.
▪ **Repeat Offenders: House Bill 957 (passed)** increases the penalties for a third or subsequent violation of (1) driving while impaired by alcohol; (2) driving while so far impaired by any drug, or drugs and alcohol, that the person cannot drive a vehicle safely; and (3) committing either of these offenses while transporting a minor. The penalty for a third or subsequent violation of either driving while impaired by alcohol or driving while so far impaired by drugs or drugs and alcohol that the person cannot drive safely, is increased from a maximum of one year imprisonment or a fine of up to $500 or both, to a maximum of three years imprisonment or a fine of up to $3,000 or both. If either of these offenses is committed while transporting a minor, the maximum fine increases from a maximum of 1 year imprisonment or a fine of up to $2,000 or both to a maximum of four years imprisonment or a fine up to $4,000 or both.

▪ **Increasing Use of Ignition Interlock Devices:** The federal Moving Ahead for Progress in the 21st Century law (MAP-21) reauthorized surface transportation programs for federal fiscal 2013 and 2014 and changed some provisions to encourage greater installation and use of ignition interlock devices. An ignition interlock device connects a motor vehicle’s ignition system to a breath analyzer that measures a driver’s blood alcohol concentration and prevents the car from starting if the concentration of alcohol in the blood exceeds a certain level. In January 2012, NHTSA and the Federal Highway Administration notified MVA that Maryland’s law with respect to repeat drunk driving offenders did not conform to MAP-21 provisions. According to MVA, if Maryland law regarding repeat offenders does not conform to MAP-21 provisions, the State is subject to having up to $12 million of federal highway funds diverted from its transportation projects to alcohol education programs.

**Senate Bill 87 (Ch. 17)** is intended to conform to federal standards the repeat offender provisions for the offenses of driving under the influence of alcohol or alcohol per se or while impaired by a controlled dangerous substance. The Act establishes that specified repeat offenders of alcohol- or drug-related driving provisions must either submit to a suspension of the driver’s license for one full year or agree to and complete one full year of participation in the Ignition Interlock System Program (IISP). The Act repeals the authority of MVA to impose a participation in the IISP for the remainder of the suspension period. Instead, if MVA issues a restricted license for participation in the IISP, the Act expands the minimum period of participation to one full year. **Ch. 17** also repeals the authority of MVA or a court to grant an exemption to repeat offenders to drive an employer-owned or -provided vehicle without an ignition interlock device. (The effective date of the bill is October 1, 2014.)

In addition, **House Bill 1015 (passed)** requires an individual who is convicted of transporting a minor younger than age 16 while driving under the influence of alcohol, under the influence of alcohol per se, or while impaired by alcohol to participate in the IISP. (The effective date of the bill is October 1, 2014.)

**Cigarette Sales – Restrictions on Licensees** (90 Day Report, Part H6)

**House Bill 1159 (passed)** prohibits a person who holds a county license to sell cigarettes at retail from selling herbal incense or potpourri that includes a noncontrolled substance with a chemical structure that is substantially similar to a controlled dangerous substance. Authorized employees of the Field Enforcement Division of the Comptroller’s Office may enforce this prohibition. A violator is guilty of a misdemeanor and on conviction subject to a fine of up to $300 for a first violation, $1,000 for a second violation within two years, and $3,000 for a third or subsequent violation within two years of a preceding violation. (The effective date of the bill is October 1, 2014.)
Immunity (90 Day Report, Part E16)
Several states and the District of Columbia have “Good Samaritan” laws to encourage individuals to summon aid in the event of an overdose. A common characteristic of these laws is immunity from being charged or prosecuted for drug-related offenses. Similarly, Senate Bill 476 (passed) and House Bill 416 (passed) establish that a person who, in good faith, seeks, provides, or assists with the provision of medical assistance for a person experiencing a medical emergency after ingesting or using alcohol or drugs must be immune from criminal prosecution for possession of drugs or drug paraphernalia, underage consumption of alcohol, or obtaining or furnishing alcohol for underage consumption if the evidence for the criminal prosecution was obtained solely as a result of the person’s seeking, providing, or assisting with the provision of medical assistance. In addition, a person who experiences a medical emergency after ingesting or using alcohol or drugs is immune from criminal prosecution for specified violations if the evidence for the criminal prosecution was obtained solely as a result of another person’s seeking medical assistance.

State Lottery (90 Day Report, Part H20-21)
▪ Background Investigations (90 Day Report H20) Senate Bill 107 (passed) requires the State Lottery and Gaming Control Agency (SLGCA) to apply to the Criminal Justice Information System Central Repository for a State and national criminal history records check for each new applicant for a State lottery sales agent license. (The effective date of the bill is October 1, 2014.)

▪ Lottery Agents (90 Day Report H20) Senate Bill 108 (passed) prohibits a person or governmental unit from presenting itself to the public as a State lottery ticket sales agent without specifically being authorized by SLGCA. Only an authorized agent may use the term “Maryland State Lottery” or comparable variations in the title or name of a charitable or commercial enterprise, product, or service. A violator is guilty of a misdemeanor and, on conviction, subject to a fine and/or imprisonment. (The effective date of the bill is October 1, 2014.)

▪ Senate Bill 172 (passed), the Budget Reconciliation and Financing Act of 2014 (BRFA), contains a provision that permanently establishes the regular commissions of licensed lottery sales agents at 5.5% of the agent’s gross receipts from ticket sales. BRFA also repeals a lottery agent incentive pool while maintaining the authority of SLGCA to pay bonuses to lottery agents.

▪ Lottery Sales & Revenue Senate Bill 374 (passed) establishes a Task Force to Study Lottery Revenue, with a focus on online sales and lottery agent commissions. Among the issues that the task force must study are:
  • data on the causes of lottery revenue decline;
  • potential innovations that may improve the lottery experience and restore revenues, including the use of online platforms for lottery sales;
  • lottery agent commissions and bonus incentives programs; and
  • e-commerce, banking, privacy, and security related to lottery sales.

While the bill requires a study and a report of the findings of the task force, it also states that it is the intent of the General Assembly that SLGCA not implement any new e-commerce related to lottery sales prior to the end of the 2015 legislative session. (The effective date of the bill is July 1, 2014.)
Discrimination Based on Gender Identity (90 Day Report, Part F16-17)

Seventeen states, the District of Columbia, and over 140 local jurisdictions have passed laws prohibiting discrimination based on gender identity. In Maryland, Hyattsville, Baltimore City, Baltimore County, Howard County, and Montgomery County have laws prohibiting discrimination based on gender identity. Additionally, Governor Martin O’Malley issued an executive order in August 2007 that included gender identity and expression as a prohibited basis for employment discrimination. Senate Bill 212 (passed) prohibits discrimination based on “gender identity” in public accommodations, labor and employment, and housing by persons licensed or regulated by a unit of the Department of Labor, Licensing, and Regulation. The measure further prohibits the leasing of property for commercial use. The bill defines “gender identity” as the gender-related identity, appearance, expression, or behavior of a person, regardless of the person’s assigned sex at birth, which may be demonstrated by (1) consistent and uniform assertion of the person’s gender identity or (2) any other evidence that the gender identity is sincerely held as part of the person’s core identity. The bill provides exemptions from provisions of the bill relating to housing discrimination for the rental of rooms or apartments in an owner’s principal residence in a building with no more than five rental units. Additionally, religious corporations, associations, educational institutions, and societies are exempted from the employment discrimination provisions of the bill with respect to the employment of individuals of a particular gender identity to perform work connected with the activities of the religious entity. The bill also specifies that it is not unlawful for an employer to establish and require an employee to adhere to certain reasonable workplace appearance, grooming, and dress standards as long as the employee is allowed to appear, groom, and dress consistent with the employee’s gender identity.

Further, Senate Bill 212 does not apply to a private facility in a place of public accommodation if the place of public accommodation makes available, for the use of persons whose gender identity is different from their assigned sex at birth, a space that is functionally equivalent to the space made available to users of the private facility. The bill defines “private facility” as a facility (1) that is designed to accommodate only a particular sex; (2) that is designed to be used simultaneously by more than one user of the same sex; and (3) in which it is customary to disrobe in view of other users of the facility. (The effective date of the bill is October 1, 2014.)
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Anne Arundel County (90 Day Report, Part H45)

- **Tasting Licenses:** Effective July 1, 2014, **Senate Bill 1015 / House Bill 591 (both passed)** create a Class BWLT beer, wine, and liquor (on-premises) tasting license in Anne Arundel County. A Class BWLT license may only be issued to a holder of a Class A beer, wine, and liquor (off-premises) license. The eligibility requirements for a Class BWT beer and wine (on-premises) tasting license are limited so that the license may only be issued to a holder of a Class A beer, wine, and liquor (off-premises) license or a Class A beer and wine (off-premises) license. The annual fee for a Class BWT license is increased from $50 to $150 and a $500 fee for a Class BWLT license is established. (The effective date of the bill is July 1, 2014.)

Baltimore City (90 Day Report, Part H45-47)

- **Baltimore City Alcoholic Beverages Act of 2014:** Chapter 263 of 2011 required the Office of Legislative Audits (OLA), at least once every three years, to conduct a performance audit of the Baltimore City Board of Liquor License Commissioners to evaluate the effectiveness and efficiency of the management practices of the board and the economy with which the board uses resources.

  The March 2013 OLA audit report, which was highly critical of the performance of the board, made 24 specific findings and recommendations involving licensing, inspections, disciplinary procedures, and management oversight.

  In response to the report, **Senate Bill 846 / House Bill 831 (both passed)** provide for the appointment of three regular members and one alternate member to the board by the Governor by May 30, 2014. Each appointee to the board must be a resident and voter of Baltimore City, with high character and integrity and of recognized business capacity. The bills repeal the requirement that the executive secretary or the deputy executive secretary must be a member of the Maryland Bar.

  Also, significant changes are made to provisions governing the issuance, transfer, and renewal of licenses, including changes to the collection and allocation of board revenues.

  Provisions taking effect July 1, 2014, include:

  An enumeration of the requirements for the completion of a license application, including a statement that an application for the issuance, transfer, or renewal is not complete unless the applicant has (1) obtained zoning approval or verification of zoning if the application is for renewal; (2) submitted all documents required in the application; and (3) paid all fines and fees that are due. The board is required to impose a fine that it determines for failure to comply with these requirements.

  A requirement that changes to an already completed license application be submitted not later than 15 days before a scheduled hearing. After the hearing on the application, an applicant may change the application only at a new hearing.
Details requirements for a hearing by the board, including that the board must (1) starting on July 1, 2015, digitize and post online all records for public review and (2) adopt related regulations.

A prohibition against a board member soliciting or reviewing directly or indirectly or on behalf of another person, a commission, political contribution, remuneration or gift, from a person engaged in the manufacture, distribution, or sale of alcoholic beverages or an agent or employee of a person engaged in the manufacture, distribution, or sale of alcoholic beverages. A board member must comply with Baltimore City public ethics laws and financial disclosure provisions enacted by the Mayor and the Baltimore City Council.

A requirement that the board annually establish performance measures using the Citistat program of the City of Baltimore for such activities as financial management, issuance of licenses, and enforcement of alcoholic beverage laws.

A requirement that, before the board adopts a regulation, the board provide at least a 30-day period for public comment and obtain a review by the city solicitor to ensure that the regulation complies with the authority granted to the board by the State. (The effective date of the bill is May 5, 2014.)

**Micro Breweries:** Senate Bill 458/House Bill 953 (both passed) add the 40th Alcoholic Beverages District of Baltimore City to the list of locations in which a holder of a certain Class D alcoholic beverages license may be issued a Class 7 micro-brewery (on- and off-sale) license. The bills also (1) authorize the license holder to brew at two locations using the same license if the Comptroller determines that the second location is necessary because of insufficient space at the existing license location; (2) prohibit the holder of the license from serving or selling beer at the second brewing location; and (3) authorize the license holder to obtain a Class 2 rectifying license for the premises at the two locations. (The effective date of the bill is July 1, 2014.)

**Class B Licenses:** Senate Bill 793 (passed) authorizes the board to issue or allow the transfer of up to two Class B beer, wine, and liquor licenses into the area of 829 through 919 E. Fort Avenue within the 46th Legislative District only if the board (1) has executed a memorandum of understanding between the community associations in Riverside and Locust Point regarding the nature of the proposed establishment and (2) enforces the memorandum of understanding against any license holder seeking to renew or transfer the license. The cumulative number of licenses that may be issued or transferred is two. The board may not allow such a license to be transferred out of the area within the 46th Legislative District into any other area of Ward 24, Precinct 5. (The effective date of the bill is July 1, 2014.)

**Class C Licenses:** Senate Bill 1103 (passed) authorizes the board to issue a Class C beer, wine, and liquor license in Ward 5, Precinct 1 of the 44th Alcoholic Beverages District. (The effective date of the bill is July 1, 2014.)

**Baltimore County** (90 Day Report, Part H47)

**Refillable Containers:** Senate Bill 546/House Bill 208 (both passed) are statewide bills that standardize the requirements for alcoholic beverages refillable containers used in the sale of draft beer, craft beer, or wine for off premises consumption. In Baltimore County, the bills authorize the Baltimore County Board of License Commissioners to issue a refillable container permit to sell draft beer in refillable containers for consumption off the licensed premises to
a holder of a Class A, Class B, or Class D license. (The effective date of the bill is October 1, 2014.)

**Calvert County** (90 Day Report, Part H47-48)

- **Organizational Licenses:** Senate Bill 496 *(passed)* authorizes the Calvert County Board of License Commissioners to issue an organizational license to a fraternal organization, volunteer fire department, or volunteer rescue squad for use on the premises that the organization, fire department, or rescue squad owns or regularly uses to hold functions. A licensee may sell beer, wine, and liquor by the drink for consumption on the licensed premises only. The annual license fee is $500. (The effective date of the bill is July 1, 2014.)

- **Premises Inspections and Penalties:** Senate Bill 495 *(passed)* authorizes the Calvert County Board of License Commissioners, or its designee, to inspect each licensed premises in the county every six months, rather than requiring the board to inspect each licensed premises in the county at least once every three months. The board may suspend an alcoholic beverages license for any alcoholic beverages violation in the county or, except for bottle club violations, impose a fine of up to $1,000 for a violation of State law or $500 for a violation of the rules and regulations of the board. If an alcoholic beverages licensee, or an employee of the licensee, sells alcoholic beverages to a person younger than age 21, the board, for a first offense, may suspend the license for up to three days and/or impose a fine of up to $500. For an offense occurring within three years after a prior offense, the board may suspend the license for up to 30 days and/or impose a fine of up to $1,000. The board must consider the license class and the economic impact the suspension will have on the business of the licensee when determining the length of a suspension. (The effective date of the bill is July 1, 2014.)

- **Special Event (Festival) Permit:** Senate Bill 548 *(passed)* authorizes the Calvert County Board of License Commissioners to issue a Special Event (festival) beer, wine, and liquor (on-sale) permit to a Class B or Class D license holder. The applicant must demonstrate a reasonable expectation of attracting at least 500 patrons to the special event and commit to provide additional security personnel at the event for traffic, parking, and patrol purposes as required. Subject to the board’s discretion, the permit authorizes the holder to operate additional bars or service counters for the sale and service of alcoholic beverages inside or outside the licensed establishment for at least one day and not more than three consecutive days. The permit fee is $500. (The effective date of the bill is July 1, 2014.)

- **Unlicensed Establishments:** Senate Bill 340 *(passed)* generally prohibits an establishment that is not licensed by the Calvert County Board of License Commissioners from giving, serving, dispensing, keeping, or allowing to be consumed on its premises, or on premises under its control or possession, any alcoholic beverages. However, a volunteer fire department, rescue squad, or emergency medical services organization may conduct no more than four events annually on their premises or premises under their control or possession to which individuals may bring and consume alcoholic beverages. A violator is guilty of a misdemeanor and subject to maximum penalties of two years imprisonment and/or a fine of $10,000. (The effective date of the bill is July 1, 2014.)

- **Refillable Container Permit:** Senate Bill 341 and House Bill 1079 *(both passed)* authorize the Calvert County Board of License Commissioners to issue a refillable container permit to a holder of a Class A, Class B, or Class D alcoholic beverages license.
A refillable container permit entitles the holder to sell draft beer for consumption off the licensed premises in a refillable container with a capacity of not less than 32 ounces and not more than 128 ounces. A refillable container permit applicant must complete the form that the board provides and pay an annual permit fee of $50 if the applicant already has an off-sale privilege, or $500 if the applicant does not have an off-sale privilege. (The effective date of the bill is July 1, 2014.)

Caroline County (90 Day Report, Part H48)

▪ Volunteer Fire Companies: Senate Bill 764 (passed) authorizes Caroline County volunteer fire companies to store alcoholic beverages on the licensed premises in between licensed events if the alcoholic beverages are in a specially identified locked and secured location and are not sold or consumed except during licensed event hours for licensed event purposes. A license holder who violates these provisions is subject to a $100 fine for the first offense and, for the second offense, a fine of up to $500 and denial of future requests for a license for an individual event or a special multiple event license. (The effective date of the bill is July 1, 2014.)

Carroll County (90 Day Report, Part H48-49)

▪ License Fee Increases: Senate Bill 560/ House Bill 156 (both passed) phase in increases in license fees for alcoholic beverages licenses in Carroll County. The fee increases are phased in from fiscal 2015 through 2018, as shown in Exhibit H-1. (The effective date of the bill is July 1, 2014.)

Exhibit H-1
Carroll County Class A Alcoholic Beverages License Fee Increases Fiscal 2015 through 2018

<table>
<thead>
<tr>
<th>License Class</th>
<th>Allowed Beverages</th>
<th>Current License Fee</th>
<th>Proposed Licensed Fee FY 2015-2017</th>
<th>Proposed License Fee Beginning FY 2018</th>
</tr>
</thead>
<tbody>
<tr>
<td>Class A</td>
<td>beer</td>
<td>$100</td>
<td>$200</td>
<td>$250</td>
</tr>
<tr>
<td>Class A</td>
<td>beer and wine</td>
<td>140</td>
<td>340</td>
<td>500</td>
</tr>
<tr>
<td>Class A</td>
<td>beer, wine, and liquor</td>
<td>650</td>
<td>850</td>
<td>1,000</td>
</tr>
<tr>
<td>Class D</td>
<td>beer</td>
<td>130</td>
<td>250</td>
<td>250</td>
</tr>
<tr>
<td>Class D</td>
<td>beer and wine</td>
<td>160</td>
<td>250</td>
<td>250</td>
</tr>
</tbody>
</table>

Source: Department of Legislative Services

▪ Refillable Containers: Senate Bill 546 House Bill 208 (both passed) are statewide bills that standardize the requirements for alcoholic beverages refillable containers used in the sale of draft beer, craft beer, or wine for off premises consumption. In Carroll County, the bills authorize the Carroll County Board of License Commissioners to issue a refillable container permit to sell draft beer in refillable containers for consumption off the licensed premises to a holder of a Class A, Class B, or Class D license. (The effective date of the bill is October 1, 2014.)
**Charles County** (90 Day Report, Part H49-50)

- **Alcoholic Beverages Licenses:** *House Bill 300 (Ch. 95)* alters the minimum distance restriction in Charles County so that a license to sell alcoholic beverages for consumption off premises may not be granted in any building in which the nearest wall, measured in a direct line, is within 1,000 feet, rather than 500 feet, of the property line of any school accredited by the State Board of Education. The existing 500-foot restriction remains with respect to a license to sell alcoholic beverages for consumption on premises. The Act does not apply to, affect, or prohibit the renewal or transfer of any license issued prior to May 1, 2014. (The effective date of the bill is April 8, 2014.)

- **Beer, Wine, and Liquor Licenses:** *House Bill 248 (passed)* increases various Class B alcoholic beverages license fees in Charles County by restructuring the county’s existing Class B alcoholic beverages licensing scheme and instituting extra fees for additional license privileges, such as providing outdoor table service or live entertainment. Under the bill, the Charles County Board of License Commissioners may issue a Class B-R (restaurant) on-sale beer, wine, and liquor license, a Class B-RB (restaurant/bar) on-sale beer, wine, and liquor license, a Class B-T (tavern) on-sale beer, wine, and liquor license, a Class B-N (nightclub) on-sale beer, wine, and liquor license, and a Class B-H (hotel) on-sale beer, wine, and liquor license. The bill also renames a Class BLX license to a Class B-BLX (luxury restaurant) on-sale beer, wine, and liquor license. (The effective date of the bill is July 1, 2014.)

- **Population Quota in Sixth Election District:** The 6th Election District of Charles County has a population of approximately 78,000 people. Of the 98 alcoholic beverages licenses issued in the 6th district, 40 licenses have off-sale privileges. *House Bill 419 (passed)* specifies that the Charles County Board of License Commissioners use the resident population figures of the last federal census when determining the number of off-sale alcoholic beverages licenses that may be issued within each election district. Additionally, the bill authorizes the board to issue in the 6th election district one alcoholic beverages license with an off-sale privilege per every unit of 2,700 people (instead of 1,350 people) based on the resident population figures of the last federal census. (The effective date of the bill is July 1, 2014.)

**Dorchester County** (90 Day Report, Part H50)

- **Sunday Sales:** *Senate Bill 60 (passed) / House Bill 167 (both passed)* authorize Class B (off-sale) beer and light wine licensees to sell beer and light wine on Sunday from 10 a.m. to midnight. The bills also expand the hours for sale of beer and light wine under a Class B (on-sale) beer and light wine license on Sunday from 10 a.m. to midnight instead of between noon and midnight. If Christmas Eve or New Year’s Eve is on a Sunday, beer and light wine may be sold both on and off premises from 10 a.m. to 2 a.m. the following day. (The effective date of the bill is June 1, 2014.)

**Frederick County** (90 Day Report, Part H50)

- **Frederick County Alcoholic Beverages Act of 2014:** *Senate Bill 619 (passed) / House Bill 433 (both passed)* authorize the Frederick County Board of License Commissioners to issue a license for the sale of beer, wine, and liquor for consumption on the premises only to an organization located in the county that is a bona fide religious, fraternal, civic, war veterans’, or patriotic organization. All net proceeds from the sale of alcoholic beverages by these organizations must be used solely for charitable purposes or to further the purposes of the organization. The bills also allow all of the bottles in a wine preservation system that the board approves to be opened at a wine sampling or tasting event in the county. However, no more than six other bottles of
wine may be opened by a holder of a solicitor’s permit, the holder of the beer and wine sampling or tasting license, or an employee of the license holder. A single individual may not consume more than six ounces of wine from all brands in a single day. (The effective date of the bill is July 1, 2014.)

**Country Inn Licenses:** Senate Bill 618/House Bill 472 (both passed) authorize the Frederick County Board of License Commissioners to issue a Class B-CI (country inn) on-sale beer, wine, and liquor license for the use of an establishment that meets specified requirements in the Burkittsville (twenty-second) election district. (The effective date of the bill is July 1, 2014.)

**Farm Breweries:** House Bill 337 (passed) is a statewide bill that authorizes a holder of a Class 8 farm brewery license to obtain a Class 7 limited beer wholesaler’s license. In Frederick County, the bill removes the prohibition on the issuance of a license for the sale of alcoholic beverages for any place of business located within the following election districts if the business is a holder of a Class 8 farm brewery license: Catoctin (6th); Hauvers (10th); Jackson (16th); Linganore (19th); and Ballenger (23rd).

**House Bill 329/Senate Bill 615 (passed) (90 Day Report H22)** increases the number of gaming events per year that an eligible organization in Frederick County may conduct with a prize greater than $5,000 from one event to four events. (The effective date of the bill is October 1, 2014.)

**Garrett County** (90 Day Report, Part H51)

**Beer Festival License:** Currently, the Garrett County Board of License Commissioners may issue two beer festival licenses annually to a holder of a retail alcoholic beverages license issued by the board, a Class 5 brewery license, a Class 6 pub-brewery license, or a Class 7 micro-brewery license. The license entitles the holder to display and sell at retail beer that is manufactured and processed in the State and distributed in the State when the application is filed, for consumption on or off the premises on the days and for the hours designated for a beer festival in Garrett County. The beer festival license fee is $100.

Senate Bill 420 (passed) alters beer festival licenses in Garrett County so that the holder of a beer festival license may display and sell at retail beer that was manufactured and processed in any state, instead of only beer that was manufactured and processed in Maryland. It also adds a Class 8 farm brewery license holder to the list of applicants eligible for a beer festival license in Garrett County. (The effective date of the bill is July 1, 2014.)

**Sunday Sales:** House Bill 690 (passed) authorizes specified Sunday sales of alcoholic beverages for off-premises consumption in an election district or precinct of an election district in Garrett County in which voters approve such sales by local referendum. The referendum must take place at the November 2014 general election. The bill takes effect July 1, 2014, for the purpose of providing for the referendum. If the referendum is approved in an election district or precinct, the bill’s provisions are effective December 15, 2014, in that district or precinct.

In addition, House Bill 1097 (passed) submits to a referendum of the qualified voters of specified election districts or precincts in Garrett County, at the November 2014 general election, a question of whether to authorize specified Sunday on-premises sales of alcoholic beverages in the applicable district or precinct. The Garrett County Board of License Commissioners must provide to the Department of Legislative Services, by December 1,
2014, a complete list of all election districts and precincts in Garrett County in which Sunday sales of alcoholic beverages are authorized. Those districts and precincts must then be listed in a specified location in the Annotated Code of Maryland by the publishers of the Code. (The effective date of the bill is July 1, 2014.)

- **Class A2 Light Wine Licenses**: *House Bill 836 (passed)* repeals the authority of the Garrett County Board of License Commissioners to issue a Class A2 light wine (on- and off-sale) license and repeals provisions related to the license.

Garrett County reported that there are no Class A2 light wine (on- and off-sale) licenses issued in the county. A local winery in the county had a license in the past, but it is no longer needed since similar privileges are now available under the State Class 4 limited winery license issued by the Comptroller. The scope of operations and activities of a Class 4 limited winery licensee were expanded under Chapter 355 of 2010, including allowing for greater flexibility to provide on- and off-premises sales. (The effective date of the bill is July 1, 2014.)

**Harford County** *(90 Day Report, Part H52)*

- **Class H-CC (Corporate Club/Conference Center) Beer, Wine, and Liquor License**: *Senate Bill 552 (passed)* eliminates the requirements that a Class H-CC (corporate club/conference center) license only be used by a private club of at least 25 members who pay an annual membership fee and may not be used for any purpose other than for the benefit of the club. A Class H-CC license may keep for sale and sell beer, wine, and liquor, instead of beer, wine, or liquor, in a corporate dining room, in addition to a banquet room, conference room, or meeting room and other approved areas. The holder of a Class H-CC license may hold no more than four, instead of one, self-sponsored events per year in the banquet, conference, or meeting room. (The effective date of the bill is July 1, 2014.)

- **Residency Requirements**: *House Bill 1170 (passed)* specifies that an applicant for a Class B restaurant or Class D tavern license who is acting on behalf of a partnership, an association, a limited liability company, a sole proprietorship, or a club or corporation, whether incorporated or unincorporated, must be a resident of the State for at least one year before filing the application, must remain a resident as long as the license is in effect, and must reside within a 100-mile radius of the Town of Bel Air. An applicant acting on behalf of these same specified business entities and applying for any other alcoholic beverages license must be a resident of Harford County for at least one year before filing the application, must remain a resident as long as the license is in effect, and must reside within a 100-mile radius of the Town of Bel Air.

The bill also requires that in Harford County, in addition to other specified requirements, one of the applicants of a corporation, whether incorporated or unincorporated, or a limited liability company must be a responsible operator of the licensed establishment who has been a resident of the State for at least one year and remains a resident as long as the license is in effect and must reside within a 100-mile radius of the Town of Bel Air. A responsible operator must own at least 25% of the total business, except for an applicant for a Class B (beer, wine, and liquor) license. (The effective date of the bill is July 1, 2014.)

- **Refillable Containers**: *Senate Bill 546 House Bill 208 (both passed)* are statewide bills that standardize the requirements for alcoholic beverages refillable containers used in the sale of draft beer, craft beer, or wine for off premises consumption. In Harford County, the bills authorize the Harford County Board of License Commissioners to issue a refillable container permit to sell draft beer in refillable containers for consumption off the licensed premises to
a holder of a Class A-1 or A-2 license, a Class B license that has off-sale privileges, or a Class D license. (The effective date of the bill is October 1, 2014.)

Howard County (90 Day Report, Part H52-53)
- **Population Restrictions on Class A Licenses: Senate Bill 1112 (passed)** limits the number of Class A alcoholic beverage licenses of any type that can be issued by the Howard County Board of License Commissioners to one license for every 4,000 Howard County residents, as determined by the latest federal census. However, this limitation does not apply to a license issued for use in an existing shopping center or a proposed shopping center development for which a building permit has been issued that contains 200,000 or more square feet of commercial retail space. (The effective date of the bill is July 1, 2014.)

- **Beer Festivals: House Bill 1091 (passed)** authorizes the Howard County Board of License Commissioners to issue a special beer festival license to the holder of a current retail alcoholic beverages license issued in the State, a State Class 5 brewery license, a State Class 7 micro-brewery license, or a State Class 8 farm brewery license. The holder of a special beer festival license may display and sell at retail beer for consumption on or off the licensed premises on festival days and hours. The license fee is $50 for a one- or two-day festival. The board must approve one weekend at an unlicensed premises in Howard County for the special beer festival. (The effective date of the bill is July 1, 2014.)

Kent County (90 Day Report, Part H53)
- **Kent County Alcoholic Beverages Act of 2014: Senate Bill 49 House Bill 226 (both passed)** authorize the Kent County Board of License Commissioners to issue a beer or wine tasting (BWT) license to a holder of a Class A beer and wine license or a Class A beer, wine, and liquor license. Additionally, the inspector employed by the board may serve summonses and issue citations for specified alcohol-related crimes in Kent County. The inspector must complete training in the proper use of arrest authority and pertinent police procedures as required by the board.

The Kent County BWT license allows the licensee to serve, for tasting purposes only, samples of up to two ounces of wine from a given brand and four ounces from all brands and up to two ounces of beer from a given brand and six ounces from all brands to any one person in a single day for on-premises consumption. The wine served may not contain more than 22% alcohol by volume. The license holder may not conduct a wine tasting event and a beer tasting event on the same day. The annual BWT license fee is $200. (The effective date of the bill is July 1, 2014.)

Montgomery County (90 Day Report, Part H53-56)
- **Beauty Salon License: House Bill 137 (passed)** authorizes the Montgomery County Board of License Commissioners to issue a special beauty salon beer and wine license to a holder of a beauty salon permit. The annual license fee is $100. The license authorizes the licensee to provide no more than five ounces of beer or wine by the glass for on-premises consumption by a beauty salon customer during specified cosmetology services and permitted fundraising events. The license may not be transferred to another location. Beer and wine may be provided during normal business hours but no later than 9 p.m. each night. Licensees are subject to specified existing alcohol awareness training requirements. (The effective date of the bill is July 1, 2014.)
- **Beer Sales and Delivery to Retail Dealers**: Senate Bill 305, House Bill 132 (both passed) authorize a holder of a Class 7 limited beer wholesaler’s license or of a nonresident brewery permit to sell or deliver its own beer to a county liquor dispensary, a restaurant, or any other retail dealer in Montgomery County. The bills also authorize a county liquor dispensary, a restaurant, or any other retail dealer in Montgomery County to purchase beer directly from a holder of a Class 7 limited beer wholesaler’s license or of a nonresident brewery permit. (The effective date of the bill is July 1, 2014.)

- **Beer, Wine, and Liquor Licenses**: Senate Bill 657, House Bill 463 (both passed) authorize the Montgomery County Board of License Commissioners to issue Class D beer, wine, and liquor licenses for on-premises consumption. The annual license fee is $3,000. The bill establishes provisions relating to license requirements and inspections of licensed establishments. The bills also extend the time of day that holders of Class B-BWL and Class B-BWL (H-M) licenses may sell or provide alcoholic beverages.

To obtain a Class D beer, wine, and liquor license, the owner must attest in a sworn statement that gross receipts from food sales in the establishment will be at least 40% of the total gross receipts from sales of food and alcoholic beverages combined from 10 a.m. to 9 p.m. on Sundays and 9 a.m. to 9 p.m. on all other days.

The board must adopt regulations to conduct inspections to determine if the ratio is being met. The regulations must ensure (1) at least monthly physical inspections of the premises during the initial year of any licensee and (2) monthly statements submitted to the board by the licensee that show gross receipts from the sale of food and gross receipts from the sale of food and alcohol for the preceding month. The bills also extend the hours that a holder of Class B-BWL, Class B-BWL(H-M) or Class D beer, wine and liquor license may sell alcoholic beverages on certain days. (The effective date of the bill is July 1, 2014.)

- **Clubhouse/Lodge License**: Senate Bill 459, House Bill 269 (both passed) establish a Class B-BWL (Clubhouse/Lodge) alcoholic beverages license and authorizes the Montgomery County Board of License Commissioners to issue the license for use by specified facilities. The annual license fee is $1,000.

The board may issue a Class B-BWL (Clubhouse/Lodge) license to the Executive Director of the Montgomery County Revenue Authority, or the executive director’s designee, for use by a multi-use facility that accommodates a golf course, a restaurant, a clubhouse, a tasting bar, and the catering of events anywhere on the property. The license authorizes the licensee to (1) sell beer and wine for consumption off the licensed premises; (2) sell beer, wine, and liquor for consumption on the licensed premises; and (3) offer samples of alcoholic beverages at no charge or for a fee.

The holder of this license is not required to be located in any specified geographic location and is not required to maintain any alcohol sales to food sales ratio. The annual license fee is $1,000. (The effective date of the bill is July 1, 2014.)

Except under specified circumstances, a person may hold a maximum of 10 Class B beer, wine, and liquor licenses in Montgomery County under Senate Bill 307, House Bill 144 (both passed). The bills remove provisions that limit a holder of a Class B beer, wine, and liquor license in Montgomery County from obtaining additional licenses unless the license is for specified enterprise zones, cities, or business areas. The bills also remove provisions that limit
the number of additional Class B beer, wine, and liquor licenses that may be obtained based on the amount of time a license holder has held his or her other licenses. (The effective date of the bill is July 1, 2014.)

- **Community Performing Arts Facility Special BWL License:** *Senate Bill 311 House Bill 146 (both passed)* authorize the Board of License Commissioners to issue a Special BWL Community Performing Arts Facility alcoholic beverages license under specified conditions and subject to specified requirements. The annual license fee is $750. Under the bills, a “community performing arts facility” is any facility used for shows, live performances, theater productions, art classes, exhibits, visual art shows, weddings, banquets, and community-related activities.

To qualify for a license, the performing arts facility must have a capacity of at least 200 but no more than 1,499 people. The licensee may sell alcoholic beverages by the drink for consumption only on the licensed premises during the hours from 10 a.m. to 2 a.m. the following day. Food must be served or provided during the hours in which alcoholic beverages are sold or consumed. (The effective date of the bill is July 1, 2014.)

- **Beer Festivals:** Although Chapter 49 of 2005 authorized Montgomery County to conduct a wine festival under specified conditions, the county is not currently authorized to conduct a beer festival. *Senate Bill 298 House Bill 136 (both passed)* authorize Montgomery County to conduct the Montgomery County Beer Festival through a “festival organization” to be selected by the county. The bills establish various requirements and limitations regarding the festival and the nonprofit organization selected to organize the festival. “Festival organization” means a nonprofit organization that is selected by Montgomery County to organize a festival.

The festival is to be held no more than four weekends per year and is to be conducted under the supervision of the Montgomery County Department of Liquor Control.

Before a person may sell or display beer at a festival, the person must contract with the festival organization and obtain a special beer festival license from the Montgomery County Board of License Commissioners. The license fee is $30 per day. (The effective date of the bill is July 1, 2014.)

- **Micro Brewery Licenses and Class D Beer and Light Wine Licenses:** *Senate Bill 310 House Bill 140 (Ch. 55)* authorizes the holder of a Class D beer and light wine license in Montgomery County to be issued a Class 7 micro-brewery license by the Comptroller. (The effective date of the bill is July 1, 2014.)

- **Proportion of Food and Alcoholic Beverages Sales:** *Senate Bill 300 House Bill 142 (both passed)* decrease, from 50 to 40%, the minimum ratio of food sales to food and alcoholic beverage sales combined that restaurants and hotels must maintain in order to obtain or renew a Class B beer, wine, and liquor license in Montgomery County. (The effective date of the bill is July 1, 2014.)

- **City of Takoma Park:** *Senate Bill 302 House Bill 131 (both passed)* repeal the June 30, 2014 termination date of Chapter 390 of 2012, which provided an off-sale privilege for Class B beer and light wine licenses issued for hotels and restaurants in the City of Takoma Park in Montgomery County. (The effective date of the bill is July 1, 2014.)

- **Town of Kensington:** *House Bill 135 (passed)* authorizes the Montgomery County Board of License Commissioners to issue a special B-K alcoholic beverage license to a restaurant
located at the East side of Connecticut Avenue between Warner Street and Knowles Avenue in the Town of Kensington. A holder of the license may not serve alcoholic beverages after 11 p.m.

Licensees of a special B-K alcoholic beverages license in Kensington may sell alcoholic beverages for consumption on the premises and must maintain a specified average daily receipts from the sale of food, not including carryout food. The location addressed by the bill is planned to be the site of an office building and a restaurant. (The effective date of the bill is July 1, 2014.)

**Prince George’s County** (90 Day Report, Part H56)
- **Refillable Containers:** [Senate Bill 546](House Bill 208 (passed)) are statewide bills that standardize the requirements for alcoholic beverages refillable containers used in the sale of draft beer, craft beer, or wine for off premises consumption. In Prince George’s County, the Prince George’s County Board of License Commissioners is authorized to issue a refillable container permit to sell draft beer in refillable containers for consumption off the licensed premises to a holder of a Class B beer, wine, and liquor license that has off-sale privileges. (The effective date of the bill is October 1, 2014.)

**Saint Mary’s County** (90 Day Report, Part H56)
- **Refillable Containers:** [Senate Bill 546](House Bill 208 (both passed)) standardize the requirements for alcoholic beverages refillable containers used in the sale of draft beer, craft beer, or wine for off premises consumption. In St. Mary’s County, the St. Mary’s Alcohol Beverage Board is authorized to issue a refillable container permit to sell draft beer in refillable containers for consumption off the licensed premises to a holder of a Class A, Class B, or Class D license. (The effective date of the bill is October 1, 2014.)

**Somerset County** (90 Day Report, Part H56)
- **Micro-Brewery Licenses:** Senate Bill 250/House Bill 287 (both passed) adds Somerset County to the list of jurisdictions in which a Class 7 micro-brewery license may be issued. The license may be issued to a holder of a Class B beer, wine, and liquor (on-sale) license for use on the premises of a restaurant. The bills also give a micro-brewery licensee in Somerset County the off-sale privilege to sell beer brewed under the license to customers for consumption off the licensed premises in refillable containers that are sealed by the licensee at the time of each refill. (The effective date of the bill is July 1, 2014.)

**Washington County** (90 Day Report, Part H56)
- **Restaurant Seating Capacity and License Quota:** Senate Bill 692/House Bill 322 (both passed) reduce the required minimum seating capacity in the definition of a “restaurant” in Washington County from 75 to 50 persons for a Class P alcoholic beverages (on-sale) license. The bills also exclude Class P licenses from being factored in calculating Washington County’s “population ratio quota” for alcoholic beverage licenses. (The effective date of the bill is July 1, 2014.)

**Worcester County** (90 Day Report, Part H57)
- **Senate Bill 1079 (passed)** authorizes the board to issue a Class D beer, wine, and liquor license within the corporate limits of the towns of Berlin and Snow Hill. (The effective date of the bill is July 1, 2014.)