A2 0lr3289 CF HB 962

By: Harford County Senators

Introduced and read first time: January 27, 2020

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 6, 2020

CHAPTER

1 AN ACT concerning

2

Harford County - Alcoholic Beverages - Assisted Living Program License

3 FOR the purpose of establishing an assisted living program beer, wine, and liquor license in Harford County; authorizing the Board of License Commissioners for Harford 4 5 County to issue the license to a manager of a certain assisted living program; limiting 6 the number of licenses the Board may issue to a person; authorizing the license 7 holder to provide beer and wine for on-premises consumption by a resident or guest 8 of a resident; authorizing the license holder to store liquor, prepare mixed drinks, and serve liquor or mixed drinks under certain circumstances; specifying the hours 9 10 the license holder may provide or serve alcoholic beverages; requiring the license 11 holder to require certain individuals to have completed certain alcohol awareness 12 training; authorizing an employee of the assisted living program who is at least a 13 certain age to serve alcoholic beverages or assist in preparing mixed drinks; 14 specifying the license fee; requiring the license to be applied for by and issued to the 15 manager of an assisted living program; exempting an applicant for the license from certain pecuniary interest requirements; providing that certain distance 16 requirements do not apply to the issuance of the license; providing for the 17 18 termination of this Act; defining a certain term; and generally relating to alcoholic 19 beverages licenses in Harford County.

20 BY renumbering

21 Article – Alcoholic Beverages

22 Section 22–1001

23 to be Section 22–1001.1

24 Annotated Code of Maryland

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

<u>Underlining</u> indicates amendments to bill.

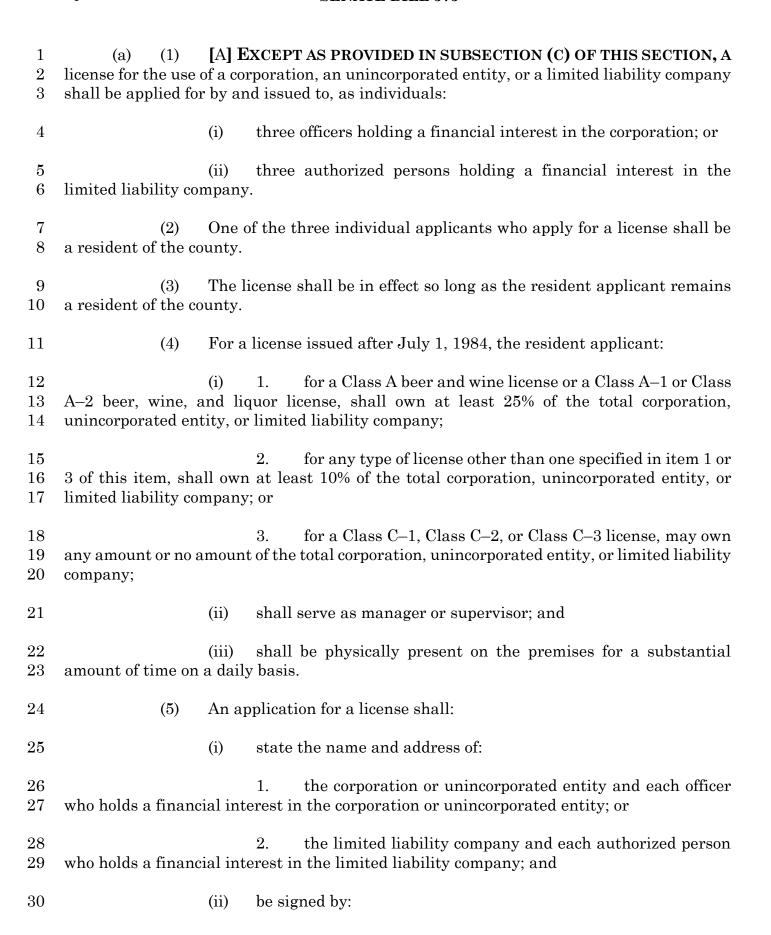
Strike out indicates matter stricken from the bill by amendment or deleted from the law by amendment.

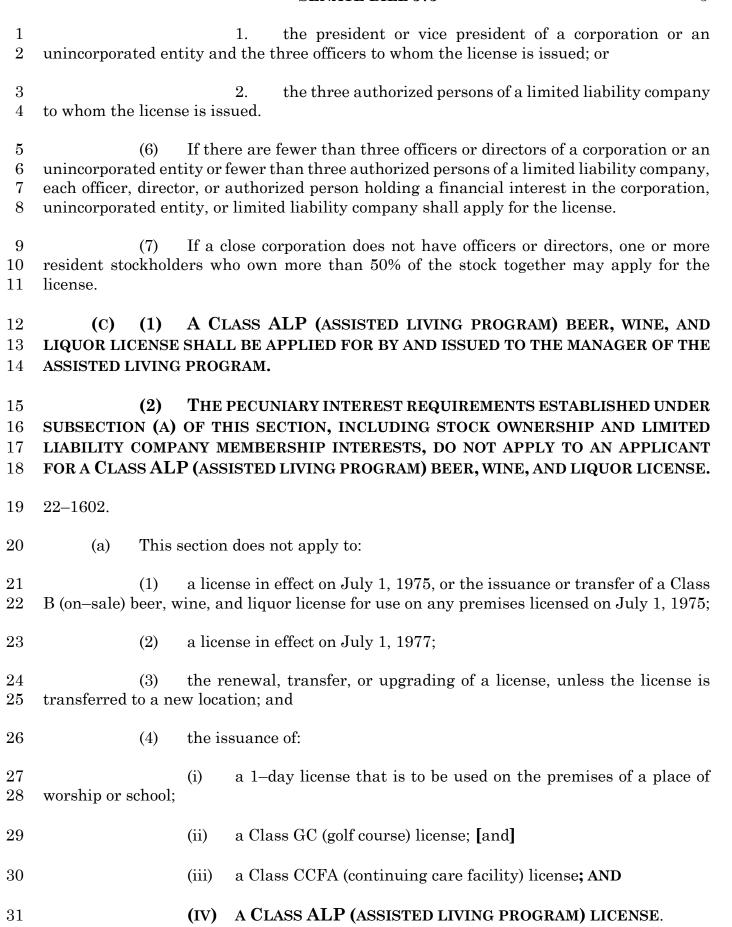
LIQUOR LICENSE.

34

1	(2016 Volume and 2019 Supplement)			
2 3 4 5 6	BY repealing and reenacting, without amendments, Article – Alcoholic Beverages Section 22–102 and 22–1602(b) and (c) Annotated Code of Maryland (2016 Volume and 2019 Supplement)			
7 8 9 10 11	BY adding to Article – Alcoholic Beverages Section 22–1001 and 22–1405(c) Annotated Code of Maryland (2016 Volume and 2019 Supplement)			
12 13 14 15 16	Article – Alcoholic Beverages Section 22–1405(a) and 22–1602(a) Annotated Code of Maryland			
17 18 19 20 21	BY repealing and reenacting, without amendments, Article – Health – General Section 19–1801 Annotated Code of Maryland (2019 Replacement Volume)			
22 23 24	SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That Section(s) 22–1001 of Article – Alcoholic Beverages of the Annotated Code of Maryland be renumbered to be Section(s) 22–1001.1.			
25 26	SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:			
27	Article - Alcoholic Beverages			
28	22–102.			
29	This title applies only in Harford County.			
30	22–1001.			
31 32	(A) IN THIS SECTION, "ASSISTED LIVING PROGRAM" HAS THE MEANING STATED IN § 19–1801 OF THE HEALTH – GENERAL ARTICLE.			
33	(B) THERE IS A CLASS ALP (ASSISTED LIVING PROGRAM) BEER, WINE, AND			

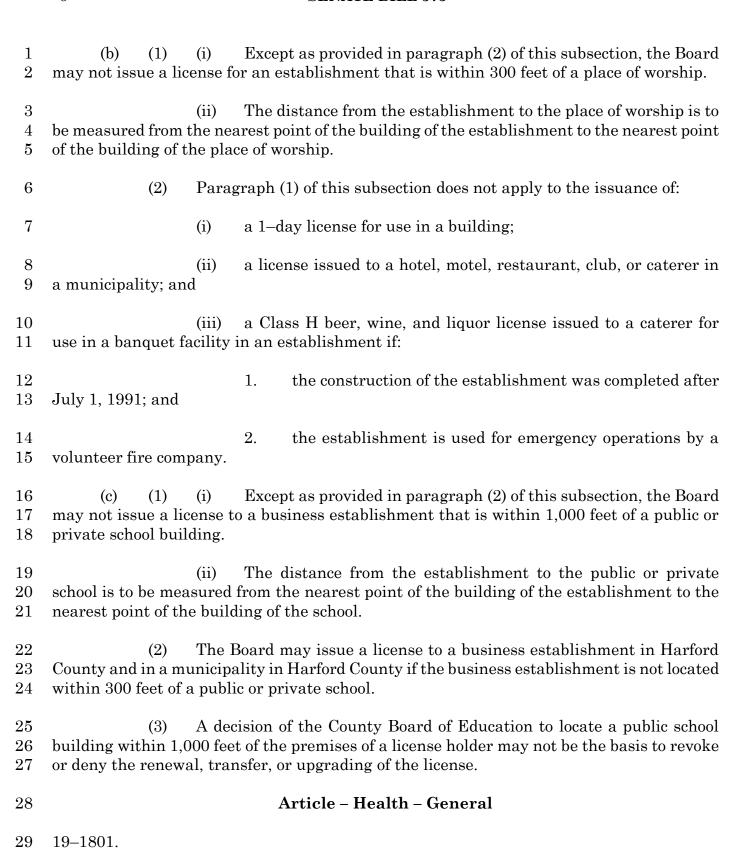
- 1 (C) (1) THE BOARD MAY ISSUE THE LICENSE TO A MANAGER OF AN 2 ASSISTED LIVING PROGRAM THAT:
- 3 (I) IS LICENSED BY THE DEPARTMENT OF HUMAN SERVICES 4 UNDER § 19–1804.1 OF THE HEALTH GENERAL ARTICLE; AND
- 5 (II) MAY BE OPERATED UNDER A MANAGEMENT AGREEMENT.
- 6 (2) THE BOARD MAY ISSUE A MAXIMUM OF FIVE CLASS ALP 7 LICENSES TO A PERSON.
- 8 (D) THE LICENSE AUTHORIZES THE LICENSE HOLDER TO:
- 9 (1) PROVIDE BEER AND WINE FOR ON-PREMISES CONSUMPTION BY A 10 RESIDENT OR A GUEST OF A RESIDENT OF THE ASSISTED LIVING PROGRAM; AND
- 11 (2) (I) STORE LIQUOR THAT HAS BEEN PURCHASED BY A RESIDENT
- 12 IN A SECURE LOCKER THAT IS ACCESSIBLE ONLY TO INDIVIDUALS AT LEAST 21
- 13 YEARS OLD;
- 14 (II) PREPARE MIXED DRINKS USING LIQUOR THAT HAS BEEN
- 15 PURCHASED BY A RESIDENT AND MIXERS PROVIDED BY THE RESIDENT OR LICENSE
- 16 HOLDER; AND
- 17 (III) SERVE LIQUOR THAT HAS BEEN PURCHASED BY A
- 18 RESIDENT, OR A MIXED DRINK THAT IS PREPARED USING A RESIDENT'S LIQUOR, TO
- 19 A RESIDENT OR GUEST OF A RESIDENT FOR ON-PREMISES CONSUMPTION.
- 20 (E) THE LICENSE HOLDER MAY PROVIDE OR SERVE BEER, WINE, AND
- 21 LIQUOR FOR ON-PREMISES CONSUMPTION ON MONDAY THROUGH SUNDAY, FROM &
- 22 A.M. TO 2 A.M. THE FOLLOWING DAY 4 P.M. TO 9 P.M.
- 23 (F) (1) THE LICENSE HOLDER SHALL REQUIRE EACH INDIVIDUAL WHO
- 24 SERVES BEER, WINE, OR LIQUOR ON THE PREMISES TO HOLD A CERTIFICATE OF
- 25 COMPLETION FROM AN APPROVED ALCOHOL AWARENESS PROGRAM AS DESCRIBED
- 26 IN § 4-505 OF THIS ARTICLE.
- 27 (2) AN EMPLOYEE OF THE ASSISTED LIVING PROGRAM WHO IS AT
- 28 LEAST 18 YEARS OLD MAY SERVE ALCOHOLIC BEVERAGES OR ASSIST IN PREPARING
- 29 MIXED DRINKS.
- 30 (G) THE ANNUAL LICENSE FEE IS \$5,000.
- 31 22–1405.





30

In this subtitle:



1 2 3 4 5 6	program that provides housing and supportive services, supervision, personalized assistance, health-related services, or a combination thereof that meets the needs of individuals who are unable to perform or who need assistance in performing the activities of daily living or instrumental activities of daily living in a way that promotes optimum			
7	(2)	"Assi	sted living program" does not include:	
8		(i)	A nursing home, as defined under § 19–1401 of this title;	
9		(ii)	A State facility, as defined under § 10–101 of this article;	
10 11	of this article;	(iii)	A program licensed by the Department under Title 7 or Title 10	
12 13	Subtitle 9 of this t	(iv) itle;	A hospice care program regulated by the Department under	
14		(v)	Services provided by family members;	
15		(vi)	Services provided in an individual's own home; or	
16 17 18	(vii) A program certified by the Department of Human Services und Title 6, Subtitle 5, Part II of the Human Services Article as a certified Adult Residenti Environment Program.			
19 20 21 22	1, 2020. <u>It shall remain effective for a period of 3 years and, at the end of J</u> this Act, with no further action required by the General Assembly, shall be a			
	Approved:			
			Governor.	
			President of the Senate.	

Speaker of the House of Delegates.