



## HOUSE BILL 730

### Howard County – Alcoholic Beverages Act of 2010

February 22, 2010

#### **POSITION: Support**

Mr. Chairman and Members of the Economic Matters Committee:

On behalf of the Howard County members of the *Restaurant Association of Maryland*, we support House Bill 730.

This legislation allows a Howard County restaurant with a Class-B liquor license to apply for a special Class-SBW license for the privilege of selling beer and wine for off-premise consumption. The legislation also allows employees who are at least 18 years of age to sell or serve alcoholic beverages.

Our members who host special beer or wine tasting dinners receive numerous requests from their customers to sell this unique beer and wine for off-premise consumption. Most of these special offerings are not stocked at area liquor stores. This legislation contains language negotiated with the *Maryland State Licensed Beverage Association* that restricts Class-B licensees who are granted such privileges from displaying beer and wine on retail shelving for the purposes of off-premise consumption. Licensees with such privileges would also be prohibited from selling beer or wine for off-premise consumption to any customer who has not purchased food or alcohol from the licensed premises. This language will sufficiently ensure that licensees operating with such privileges do not become similar to liquor stores. For your information, we have attached a summary of other Maryland jurisdictions that allow some form of off-premise sales for Class-B licensees.

This legislation also allows employees who are at least 18 years of age to sell or serve alcoholic beverages. Under current Howard County law, employees between the ages of 18 and 21 may sell or serve beer and wine, but not liquor. This means that licensees often have to use two servers for tables that order different types of alcohol, or otherwise ensure that all servers are at least 21 years old. This minor change in law will resolve this issue.

For these reasons, we support HB 730 and request a favorable report.

Respectfully submitted,

Melvin R. Thompson  
Senior Vice President  
Government Affairs and Public Policy

## **Class-B Beer/Wine Off-Premise Privileges County Summary**

### **Baltimore City**

Most Class-B licenses issued allow for off-premise sales of beer/wine, except in Alcoholic Beverage District 47 where new licenses issued after January 1, 1991 are prohibited from selling beer/wine for off-premise consumption.

During the 1980s, some Class-B licenses were issued with restrictions prohibiting off-premise sales. Class-B licenses are now issued without such restrictions. However, those licenses issued during that period are still restricted. All other Class-B licenses have no off-premise restrictions for beer/wine.

### **Carroll County**

Class-B licensees may sell beer for off-premise consumption.

### **Frederick County**

According to regulations, Class-B licensees are permitted to sell for off-premise consumption alcoholic beverages that contain less than 14.5 percent alcohol by volume. This obviously includes beer/wine.

### **Garrett County**

Class-B (Beer, Wine, Liquor) licensees may purchase an Off-Premise Wine Sales Option for \$200. An issuing fee of \$200 also applies. A limit of two bottles per sale applies.

### **Harford County**

Only Class-B licenses issued prior to July 1, 1984 are allowed off-premise sale privileges. There have been no problems with these licensees. Class-B licenses issued after July 1, 1984 do not have such privileges. After 1984, only Class-D licenses allow such privileges.

### **Kent County**

All Class-B licensees are allowed off-premise privileges for beer/wine. There have been no problems. Liquor stores do not have a problem with it because beer/wine will always cost more if you buy it from a restaurant for off-premise consumption. There have been no complaints regarding this issue.

### **Worcester County**

A Class-B licensee may apply to the Board for the privilege of selling beer/wine for off-premise consumption. In making a determination, the Board considers if the location is conducive to such privilege. There has been no opposition from liquor stores, even though approximately 40% of Class-B licensees have been granted the privilege.

### **Wicomico County**

A Class-B (Beer Wine Liquor) licensee may apply for a Class B-Special Wine License to sell wine for off-premise consumption. The holder of such a license must be open for at least two meals for 5 days per week (e.g. lunch and dinner). Wine sold for off-premise consumption shall have a maximum alcohol content of 15.5% and shall not be sold after midnight.