

SENATE BILL 110

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1999 Regular Session
9lr0637

By: **Senator Conway**

Introduced and read first time: January 22, 1999

Assigned to: Economic and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Baltimore City - Board of License Commissioners - Payment for Licenses**

3 FOR the purpose of requiring in Baltimore City an alcoholic beverages license
4 renewal applicant to include a certain payment with the application; providing
5 that a license renewal application is incomplete until the Baltimore City Board
6 of License Commissioners receives a certain payment; prohibiting the Board
7 from issuing a license renewal until the Board receives a certain payment;
8 prohibiting a renewal applicant from transferring a renewed license to a third
9 party until the Board receives a certain payment; requiring a licensee to make a
10 certain payment before placing the license on deposit with the Board;
11 designating the Board as the local collecting agent for alcoholic beverages
12 license fees in Baltimore City; and generally relating to the Baltimore City
13 Board of License Commissioners.

14 BY repealing and reenacting, without amendments,
15 Article 2B - Alcoholic Beverages
16 Section 10-301(a)(1) and (j)(1) and 15-112(d)(1)
17 Annotated Code of Maryland
18 (1998 Replacement Volume and 1998 Supplement)

19 BY repealing and reenacting, with amendments,
20 Article 2B - Alcoholic Beverages
21 Section 10-301(j)(2) and 10-504(d)
22 Annotated Code of Maryland
23 (1998 Replacement Volume and 1998 Supplement)

24 BY adding to
25 Article 2B - Alcoholic Beverages
26 Section 15-112(d)(14)
27 Annotated Code of Maryland
28 (1998 Replacement Volume and 1998 Supplement)

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

3 **Article 2B - Alcoholic Beverages**

4 10-301.

5 (a) (1) Except in Prince George's County, the holder of any expiring license,
6 other than special licenses issued under the provisions of this article, shall, not less
7 than 30 nor more than 60 days before the first day of May of each and every year, file
8 a written application, duly verified by oath, for the renewal of the license with the
9 official authorized to approve the same. The renewal application shall state that the
10 facts in the original application are unchanged. It shall be accompanied by a
11 statement signed by the owner of the premises consenting to renewal of the license
12 and to search and seizure as in the case of original applications. In the case of retail
13 dealers applying for renewal, the statement of consent by the owner of the premises
14 may not be required if the owner has previously signed such a statement in
15 connection with an original application or previous renewal application giving
16 consent for the term of the owner's lease with the applicant if the lease or renewal
17 does not expire during the term of the renewal license. Upon the filing of the renewal
18 application, and upon payment of the annual fee, the holder of the expiring license is
19 entitled to a new license for another year without the filing of further statements or
20 the furnishing of any further information unless specifically requested by the official
21 authorized to approve the license. A license by way of renewal may not be approved
22 without a hearing before such official if a protest has been filed against the granting
23 of the new license at least 30 days before the expiration of the license for which
24 renewal is sought. This protest shall be (i) signed by not less than ten residents or real
25 estate owners in the immediate vicinity in which the licensed place of business is
26 located; or (ii) instituted by the board of licensing commissioners on its own initiative.
27 If the protest has been filed it shall be heard and determined as in the case of original
28 applications, except in Baltimore City it shall be heard and determined not as in the
29 case of original application in regard to zoning but only on a specific complaint as to
30 the operation of the licensee's establishments.

31 (j) (1) In Baltimore City, unless a licensee presents to the Board of Liquor
32 License Commissioners by June 30 of the respective year, a certificate issued by the
33 Director of Finance, showing that there are no unpaid taxes on the merchandise,
34 fixtures and stock of the applicant due to the City of Baltimore or the State of
35 Maryland, the renewal license shall be immediately suspended without a hearing but
36 thereafter shall be immediately returned without a hearing upon presentation of such
37 a certificate.

38 (2) (i) Each year, between March 1 and March 31, both inclusive, each
39 licensee shall file an application for license renewal, AND FILE WITH THE
40 APPLICATION A CERTIFIED CHECK OR MONEY ORDER FOR THE FULL COST OF THE
41 LICENSE, with the Board.

42 (ii) A license renewal application received by the Board after March
43 31 may be subject to:

