

HOUSE BILL 38

Unofficial Copy
A2
HB 105/99 - ECM

2000 Regular Session
0lr0288
CF 0lr2790

(PRE-FILED)

By: **Delegate Arnick**
Requested: July 7, 1999
Introduced and read first time: January 12, 2000
Assigned to: Economic Matters

Committee Report: Favorable
House action: Adopted
Read second time: March 14, 2000

CHAPTER _____

1 AN ACT concerning

2 **Baltimore County - Alcoholic Beverages - Board of License Commissioners -**
3 **Appeals**

4 FOR the purpose of establishing in Baltimore County that certain persons and
5 business owners may appeal to the Circuit Court for Baltimore County a final
6 decision of the Board of License Commissioners; excluding Baltimore County
7 from among the counties in which a party must pay all costs incident to the local
8 licensing board hearing before making an appeal to the circuit court; and
9 generally relating to appeals from final decisions of the Baltimore County Board
10 of License Commissioners.

11 BY repealing and reenacting, with amendments,
12 Article 2B - Alcoholic Beverages
13 Section 16-101(b)
14 Annotated Code of Maryland
15 (1998 Replacement Volume and 1999 Supplement)

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

18 **Article 2B - Alcoholic Beverages**

19 16-101.

20 (b) (1) (i) Except in BALTIMORE COUNTY AND Howard County, any
21 licensee or applicant for a license, or any group of not less than 10 persons who are
22 residents or real estate owners in the precinct or voting district in which the licensed

1 place of business is located or proposed to be located, may appeal therefrom to the
2 circuit court of the county upon payment of all costs incident to the hearing before the
3 local licensing board.

4 (ii) IN BALTIMORE COUNTY, A LICENSEE, A LICENSE APPLICANT, A
5 GROUP OF NOT LESS THAN 10 PERSONS WHO ARE RESIDENTS OR REAL ESTATE
6 OWNERS IN THE ELECTION DISTRICT IN WHICH THE LICENSED PREMISES ARE
7 LOCATED OR PROPOSED TO BE LOCATED, OR AN OWNER OF A BUSINESS LOCATED IN
8 THE ELECTION DISTRICT IN WHICH THE LICENSED PREMISES ARE LOCATED OR
9 PROPOSED TO BE LOCATED MAY APPEAL A FINAL DECISION OF THE BOARD OF
10 LICENSE COMMISSIONERS TO THE CIRCUIT COURT FOR BALTIMORE COUNTY.

11 (III) In Howard County, a licensee, a license applicant, or a group of
12 not less than 10 persons may appeal a final decision of the Board of License
13 Commissioners to the Circuit Court if the licensee, license applicant, or the group is
14 aggrieved by the decision and has appeared at the hearing of the Board of License
15 Commissioners either:

- 16 1. In person or by representative; or
- 17 2. By the submission of a written document that was
18 introduced at the hearing.

19 (2) In Prince George's County, the governing body of the municipality in
20 which the licensed place of business is located or proposed to be located may appeal
21 therefrom to the Circuit Court of the County upon payment of all costs incident to the
22 hearing before the Board of License Commissioners.

23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
24 October 1, 2000.