
By: **Delegates Love, Pendergrass, Moe, and Turner**
Introduced and read first time: February 11, 2000
Assigned to: Economic Matters

Committee Report: Favorable with amendments
House action: Adopted
Read second time: March 21, 2000

CHAPTER 441

1 AN ACT concerning

2 **Alcoholic Beverages - License Prohibitions - Exceptions**

3 FOR the purpose of creating a certain exception to the prohibition against issuing
4 ~~more than one~~ certain alcoholic beverages ~~license~~ licenses ~~to a person~~ certain
5 ~~persons; creating a certain exception to the prohibition against certain licensees~~
6 ~~having a financial interest in certain licensed premises; authorizing certain~~
7 ~~manufacturers to have a financial interest in certain licensed premises; and~~
8 generally relating to exceptions to alcoholic beverages license prohibitions.

9 BY repealing and reenacting, without amendments,
10 Article 2B - Alcoholic Beverages
11 Section ~~9-102(a)~~ 12-104(b)(1)
12 Annotated Code of Maryland
13 (1998 Replacement Volume and 1999 Supplement)

14 ~~BY adding to~~
15 ~~Article 2B - Alcoholic Beverages~~
16 ~~Section 9-102(b)~~
17 ~~Annotated Code of Maryland~~
18 ~~(1998 Replacement Volume and 1999 Supplement)~~

19 BY repealing and reenacting, with amendments,
20 Article 2B - Alcoholic Beverages
21 Section ~~12-104(b)(1)~~ 12-104(e)
22 Annotated Code of Maryland
23 (1998 Replacement Volume and 1999 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 ~~9-102.~~

5 ~~(a) No more than one license provided by this article, except by way of renewal~~
6 ~~or as otherwise provided in this section, shall be issued in any county or Baltimore~~
7 ~~City, to any person, or for the use of any partnership, corporation, unincorporated~~
8 ~~association, or limited liability company, in Baltimore City or any county of the State,~~
9 ~~and no more than one license shall be issued for the same premises except as provided~~
10 ~~in §§ 2-201 through 2-208, 2-301, and 6-701, and nothing herein shall be construed~~
11 ~~to apply to subsections (b) and (c) of § 7-101 or to § 12-202 (pertaining to special~~
12 ~~music or dancing licenses for Anne Arundel County) of this article.~~

13 ~~(B) NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (A) OF THIS~~
14 ~~SECTION, A CLASS 6 PUB BREWERY LICENSEE OR A CLASS 7 MICRO BREWERY~~
15 ~~LICENSEE MAY HOLD ONE ADDITIONAL RETAIL LICENSE FOR USE ON PREMISES TO~~
16 ~~WHICH THE CLASS 6 PUB BREWERY LICENSE OR THE CLASS 7 MICRO BREWERY~~
17 ~~LICENSE DOES NOT APPLY.~~

18 ~~12-104.~~

19 ~~(b) (1) (A) {A} EXCEPT AS PROVIDED IN SUBPARAGRAPH (H) OF THIS~~
20 ~~PARAGRAPH, A business entity may not have any financial interest in the premises~~
21 ~~upon or in which any alcoholic beverage is sold at retail by any licensee or in any~~
22 ~~business conducted by any licensee.~~

23 ~~(H) A CLASS 6 PUB BREWERY LICENSEE OR A CLASS 7~~
24 ~~MICRO BREWERY LICENSEE MAY HAVE A FINANCIAL INTEREST IN THE PREMISES TO~~
25 ~~WHICH:~~

26 ~~1. THE CLASS 6 PUB BREWERY LICENSE OR THE CLASS 7~~
27 ~~MICRO BREWERY LICENSE APPLIES; OR~~

28 ~~2. AN ADDITIONAL RETAIL LICENSE ISSUED UNDER §~~
29 ~~9-102(B) OF THIS ARTICLE APPLIES.~~

30 ~~(e) (1) The provisions of subsections (b) and (d) of this section do not apply to~~
31 ~~a holder of a Class 3 or Class 4 winery manufacturer's license who is issued a Class~~
32 ~~A2 light wine on- and off-sale license in Baltimore City with respect to the wine~~
33 ~~manufactured or bottled on the winery premises.~~

34 ~~(2) The provisions of subsections (b) and (c) of this section do not apply to~~
35 ~~the holder of a Class 6 pub-brewery license with respect to the malt beverages brewed~~
36 ~~on the premises of the pub-brewery.~~

37 ~~(3) The provisions of subsections (b) and (c) of this section do not apply to~~
38 ~~a holder of a Class 7 micro-brewery license with respect to the malt beverages brewed~~

1 on the premises of the micro-brewery for the purpose of being licensed as a retailer
2 for selling on the brewery licensed premises or in a restaurant or brewery pub owned,
3 conducted, and operated by the holder in or adjacent to the brewery for which it is
4 licensed.

5 (4) IN ADDITION TO THE RETAIL LICENSE REQUIRED UNDER § 2-207 OR §
6 2-208 OF THIS ARTICLE, A CLASS 6 PUB-BREWERY LICENSEE OR A CLASS 7
7 MICRO-BREWERY LICENSEE MAY HOLD OR HAVE A FINANCIAL INTEREST IN ONE
8 ADDITIONAL RETAIL ALCOHOLIC BEVERAGES LICENSE THAT DOES NOT APPLY TO
9 PREMISES TO WHICH A CLASS 6 PUB-BREWERY LICENSE OR CLASS 7
10 MICRO-BREWERY LICENSE APPLIES.

11 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
12 June 1, 2000.