
By: **Montgomery County Delegation**
Introduced and read first time: February 6, 2002
Assigned to: Economic Matters

Committee Report: Favorable with amendments
House action: Adopted
Read second time: March 12, 2002

CHAPTER 241

1 AN ACT concerning

2 **Montgomery County - Alcoholic Beverages - Special Class B-BWL**
3 **(Performing Arts Facility) License**
4 **MC 201-02**

5 FOR the purpose of creating ~~the~~ in Montgomery County a special Class B-BWL
6 (performing arts facility) ~~beer, wine, and liquor~~ license; establishing privileges
7 and prohibitions under the license; establishing the hours and days for sale
8 under the license; establishing that the Board of License Commissioners may
9 issue the license to apply only to a facility that meets certain criteria;
10 establishing that the Board may issue the license only for use by certain
11 persons; authorizing the Board to impose certain conditions on the issuance or
12 renewal of the license; prohibiting the Board from approving the transfer of the
13 license to another location; establishing a certain annual fee for the license;
14 defining a certain term; and generally relating to the creation of ~~the~~
15 ~~Montgomery County~~ a special Class B-BWL (performing arts facility) ~~beer,~~
16 ~~wine, and liquor~~ license.

17 BY repealing and reenacting, without amendments,
18 Article 2B - Alcoholic Beverages
19 Section 6-201(q)(1)(i)
20 Annotated Code of Maryland
21 (2001 Replacement Volume)

22 BY adding to
23 Article 2B - Alcoholic Beverages
24 Section 6-201(q)(4)

1 Annotated Code of Maryland
 2 (~~1998 Replacement Volume and 2001 Supplement~~)
 3 (2001 Replacement Volume)

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

6 **Article 2B - Alcoholic Beverages**

7 6-201.

8 ~~(Q)~~ (q) (l) (i) This subsection applies only in Montgomery County.

9 (4) (I) IN THIS PARAGRAPH, "PERFORMING ARTS FACILITY" MEANS A
 10 FACILITY THAT IS USED FOR ARTISTIC, CORPORATE, AND COMMUNITY RELATED
 11 ACTIVITIES.

12 (II) THERE IS A ~~MONTGOMERY COUNTY~~ SPECIAL CLASS B-BWL
 13 (PERFORMING ARTS FACILITY) ~~BEER, WINE, AND LIQUOR~~ LICENSE.

14 (III) THE BOARD OF LICENSE COMMISSIONERS MAY ISSUE A
 15 SPECIAL CLASS B-BWL (PERFORMING ARTS FACILITY) LICENSE TO APPLY ONLY TO A
 16 PERFORMING ARTS FACILITY THAT HAS:

17 1. A MINIMUM CAPITAL INVESTMENT, NOT INCLUDING REAL
 18 PROPERTY, OF \$1,000,000;

19 2. A MINIMUM CAPACITY OF 2,000 PERSONS; AND

20 3. A FOOD SERVICE FACILITY PERMIT AND 40 SEATS IN A
 21 FOOD SERVICE AREA.

22 (IV) THE BOARD MAY ISSUE A SPECIAL CLASS B-BWL (PERFORMING
 23 ARTS FACILITY) LICENSE FOR USE BY A NOT-FOR-PROFIT PARTNERSHIP, LIMITED
 24 LIABILITY COMPANY, CORPORATION, OR OTHER ENTITY THAT LEASES THE
 25 PERFORMING ARTS FACILITY TO HOST ARTISTIC, CORPORATE, AND COMMUNITY
 26 RELATED ACTIVITIES.

27 (V) 1. A SPECIAL CLASS B-BWL (PERFORMING ARTS FACILITY)
 28 LICENSE AUTHORIZES THE HOLDER TO SELL BEER, WINE, AND LIQUOR BY THE
 29 DRINK FROM ONE OR MORE OUTLETS ON THE LICENSED PREMISES FOR
 30 CONSUMPTION ON THE LICENSED PREMISES.

31 2. A HOLDER OF A SPECIAL CLASS B-BWL (PERFORMING
 32 ARTS FACILITY) LICENSE MAY ONLY EXERCISE THE PRIVILEGES UNDER THE
 33 LICENSE FROM 10:00 A.M. ON ANY DAY UNTIL 2:00 A.M. THE FOLLOWING DAY.

34 3. A HOLDER OF A SPECIAL CLASS B-BWL (PERFORMING
 35 ARTS FACILITY) LICENSE MAY NOT SELL ALCOHOLIC BEVERAGES AT:

1 A. A HIGH SCHOOL GRADUATION HELD ON THE LICENSED
2 PREMISES; OR

3 B. A COMMUNITY MEETING HELD, WITHOUT FOOD SERVICE,
4 ON THE LICENSED PREMISES.

5 (VI) THE BOARD MAY IMPOSE CONDITIONS ON THE ISSUANCE OR
6 RENEWAL OF A SPECIAL CLASS B-BWL (PERFORMING ARTS FACILITY) LICENSE THAT
7 ESTABLISH THE AREAS IN THE PERFORMING ARTS FACILITY WHERE BEER, WINE,
8 AND LIQUOR MAY BE SOLD, SERVED, POSSESSED, OR CONSUMED.

9 (VII) THE BOARD MAY NOT APPROVE THE TRANSFER OF A SPECIAL
10 CLASS B-BWL (PERFORMING ARTS FACILITY) LICENSE TO ANOTHER LOCATION.

11 (VIII) THE ANNUAL LICENSE FEE FOR A SPECIAL CLASS B-BWL
12 (PERFORMING ARTS FACILITY) LICENSE IS \$1,000.

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
14 effect October 1, 2002.