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

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

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CHAPTER 242

1 AN ACT concerning

2 **Montgomery County - Alcoholic Beverages Licenses - Community**  
3 **Swimming Pools**  
4 **MC 203-02**

5 FOR the purpose of authorizing the Montgomery County Board of License  
6 Commissioners to issue a one-day special Class C beer license, beer and wine  
7 license, or beer, wine and liquor license to ~~certain~~ community swimming pool  
8 clubs; ~~specifying certain criteria for swimming pool clubs regarding membership~~  
9 ~~and licensure; specifying hours during which the license may be exercised;~~  
10 ~~prohibiting with a certain exception persons under a certain age from attending~~  
11 ~~certain entertainments;~~ and generally relating to alcoholic beverages licenses  
12 for community swimming pool clubs in Montgomery County.

13 BY repealing and reenacting, without amendments,  
14 Article 2B - Alcoholic Beverages  
15 Section 7-101(b)(1)(i) and (d)(1)(i)  
16 Annotated Code of Maryland  
17 (1998 Replacement Volume and 2001 Supplement)

18 BY repealing and reenacting, with amendments,  
19 Article 2B - Alcoholic Beverages  
20 Section 7-101(b)(10) and (d)(10)  
21 Annotated Code of Maryland  
22 (1998 Replacement Volume and 2001 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 7-101.

5 (b) (1) (i) Subject to subsection (a) of this section, a special Class C beer  
6 license or a special Class C beer and wine license entitles the holder to exercise any of  
7 the privileges conferred by the respective classes of licenses for the use of any person  
8 holding any bona fide entertainment conducted by any club, society or association at  
9 the place described in the license, for a period not exceeding seven consecutive days  
10 from the effective date thereof.

11 (10) In Montgomery County:

12 (I) [the] THE fee is \$15 per day; AND

13 (II) ~~1-~~ IN ADDITION TO PARAGRAPH (1)(I) OF THIS SUBSECTION  
14 AND NOTWITHSTANDING § 1-102(A)(4) OF THIS ARTICLE, THE BOARD OF LICENSE  
15 COMMISSIONERS MAY ISSUE A ONE-DAY SPECIAL CLASS C BEER LICENSE OR A  
16 ONE-DAY SPECIAL CLASS C BEER AND WINE LICENSE TO A COMMUNITY SWIMMING  
17 POOL CLUB; ~~THAT:~~

18 A. ~~IS OPERATED AS A FOR PROFIT OR NONPROFIT CLUB;~~

19 B. ~~HAS AT LEAST 100 BONA FIDE MEMBERS EACH OF WHOM~~  
20 ~~PAYS ANNUAL DUES OF NOT LESS THAN \$50; AND~~

21 C. ~~IS LICENSED BY THE MONTGOMERY COUNTY~~  
22 ~~DEPARTMENT OF HEALTH, LICENSURE AND REGULATORY DIVISION; AND~~

23 ~~2-~~ NOTWITHSTANDING ANY OTHER PROVISION IN THIS  
24 ARTICLE, THE ONLY HOURS DURING WHICH THE PRIVILEGES CONFERRED BY A  
25 LICENSE ISSUED UNDER THIS SUBPARAGRAPH MAY BE EXERCISED ARE FROM 11 A.M.  
26 TO 11 P.M.; AND

27 (III) ~~A PERSON UNDER THE AGE OF 21 YEARS MAY NOT ATTEND THE~~  
28 ~~ENTERTAINMENT FOR WHICH THE ONE DAY SPECIAL CLASS C BEER LICENSE OR~~  
29 ~~ONE DAY SPECIAL CLASS C BEER AND WINE LICENSE IS ISSUED, UNLESS THE~~  
30 ~~PERSON IS EMPLOYED BY THE LICENSEE TO HELP CONDUCT THE ENTERTAINMENT.~~

31 (d) (1) (i) A special Class C beer, wine and liquor license entitles the  
32 holder to exercise any of the privileges conferred by this class of license for the use of  
33 any person holding a bona fide entertainment conducted by a club, society, or  
34 association at the place described for a period not exceeding seven consecutive days,  
35 upon the payment of a fee of \$15 per day.

36 (10) [In] NOTWITHSTANDING PARAGRAPH (1)(I) OF THIS SUBSECTION, IN  
37 Montgomery County:

1 (I) [the] THE fee is \$30 per day; AND

2 (II) ~~+~~ NOTWITHSTANDING § 1-102(A)(4) OF THIS ARTICLE, THE  
3 BOARD OF LICENSE COMMISSIONERS MAY ISSUE A ONE-DAY SPECIAL CLASS C BEER,  
4 WINE AND LIQUOR LICENSE TO A COMMUNITY SWIMMING POOL CLUB THAT:

5 A. ~~IS OPERATED AS A FOR PROFIT OR NONPROFIT CLUB;~~

6 B. ~~HAS AT LEAST 100 BONA FIDE MEMBERS EACH OF WHOM~~  
7 ~~PAYS ANNUAL DUES OF NOT LESS THAN \$50; AND~~

8 C. ~~IS LICENSED BY THE MONTGOMERY COUNTY~~  
9 ~~DEPARTMENT OF HEALTH, LICENSURE AND REGULATORY DIVISION; AND~~

10 ~~2.~~ NOTWITHSTANDING ANY OTHER PROVISION IN THIS  
11 ARTICLE, THE ONLY HOURS DURING WHICH THE PRIVILEGES CONFERRED BY A  
12 LICENSE ISSUED UNDER THIS SUBPARAGRAPH MAY BE EXERCISED ARE FROM 11 A.M.  
13 TO 11 P.M.; AND

14 (III) ~~A PERSON UNDER THE AGE OF 21 YEARS MAY NOT ATTEND THE~~  
15 ~~ENTERTAINMENT FOR WHICH THE ONE DAY SPECIAL CLASS C BEER, WINE AND~~  
16 ~~LIQUOR LICENSE AUTHORIZED UNDER THIS PARAGRAPH IS ISSUED, UNLESS THE~~  
17 ~~PERSON IS EMPLOYED BY THE LICENSEE TO HELP CONDUCT THE ENTERTAINMENT.~~

18 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
19 June 1, 2002.