

SENATE BILL 796

Unofficial Copy
A2

2004 Regular Session
4lr2698
CF 4lr2699

By: **Chairman, Baltimore County Senators (By Request - Baltimore County Administration)**

Introduced and read first time: February 16, 2004

Assigned to: Rules

Re-referred to: Education, Health, and Environmental Affairs, February 23, 2004

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 23, 2004

CHAPTER 141

1 AN ACT concerning

2 **Baltimore County - Alcoholic Beverages - Class BDR (Deluxe Restaurant)**
3 **(On-Sale) Beer, Wine and Liquor Licenses**

4 FOR the purpose of repealing a provision of law that requires, with respect to the
5 authorization of the issuance of up to four additional Class B (on-sale -- hotels
6 and restaurants) beer, wine and liquor licenses in Baltimore County to
7 individuals for the use of certain business entities, that one of the licenses must
8 be a Class BDR (deluxe restaurant) (on-sale) beer, wine and liquor license; and
9 generally relating to alcoholic beverages licenses in Baltimore County.

10 BY repealing and reenacting, with amendments,
11 Article 2B - Alcoholic Beverages
12 Section 9-102(b-3B)
13 Annotated Code of Maryland
14 (2001 Replacement Volume and 2003 Supplement)

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

17 **Article 2B - Alcoholic Beverages**

18 9-102.

19 (b-3B) (1) Notwithstanding any other provision of this section or § 8-204(l) of
20 this article, in Baltimore County, an individual, for the use of a sole proprietorship,
21 partnership, corporation, unincorporated association, or limited liability company in

1 the county, may obtain an additional Class B license up to a total of four Class B
2 (on-sale -- hotels and restaurants) beer, wine and liquor licenses under this article,
3 by making application in the regular manner and paying the usual fee if the
4 restaurants for which the licenses are sought:

5 (i) Meet the requirements of the rules and regulations of the Board
6 of License Commissioners regarding the availability and issuance of licenses;

7 (ii) Meet the definition requirements of "restaurant" established
8 under the regulations of the Board of License Commissioners;

9 (iii) Have a minimum seating capacity of 190 persons for dining;

10 (iv) Have a cocktail lounge or bar area seating capacity that does
11 not exceed 10 percent of the seating capacity for dining; and

12 (v) Have no more than 20 percent of sales in alcoholic beverages in
13 connection with the business.

14 (2) [One of the four licenses permitted under this subsection shall be a
15 Class BDR (deluxe restaurant) (on-sale) beer, wine and liquor license.] Off-sale
16 privileges may not be conferred by these licenses.

17 (3) † Nothing contained in this section may be construed to authorize the
18 issuance of more than four licenses to an individual for the use of a sole
19 proprietorship, partnership, corporation, unincorporated association, or limited
20 liability company in the county under this article, including Class B (on-sale --
21 hotels and restaurants), Class B (SB) restaurant - service bar beer, wine and liquor
22 (on-sale), Class B (TTC) restaurant beer, wine and liquor (on-sale), and Class BDR
23 (deluxe restaurant) (on-sale) beer, wine and liquor licenses.

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
25 ~~July~~ June 1, 2004.