
By: **Senators Miller and Middleton**

Introduced and read first time: February 14, 2006

Assigned to: Rules

Re-referred to: Education, Health, and Environmental Affairs, February 23, 2006

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 30, 2006

CHAPTER _____

1 AN ACT concerning

2 **Calvert County and Charles County - Alcoholic Beverages - License for**
 3 **Luxury-Type Restaurants**

4 FOR the purpose of creating in the 27th Legislative District in Calvert County a Class
 5 BLX license for luxury-type restaurants; specifying the application process,
 6 license fee, and qualifications, ~~and times meals may be served for a restaurant~~
 7 ~~with~~ for a Class BLX license in the 27th Legislative District in Calvert County;
 8 restricting the number of Class BLX licenses ~~that may be issued and the~~
 9 ~~number of Class BLX licenses~~ that may be held by one person in Calvert County;
 10 ~~providing that one Class BLX license may be used for several restaurants under~~
 11 ~~certain conditions in Calvert County;~~ altering the provisions for a Class BLX
 12 license in Charles County; altering a certain license fee and minimum capital
 13 investment requirement for a restaurant with a Class BLX license in Charles
 14 County; ~~specifying the times meals may be served by a restaurant with a Class~~
 15 ~~BLX license in Charles County;~~ restricting the number of Class BLX licenses
 16 that may be ~~issued and the number of Class BLX licenses that may be held by~~
 17 one person in the 28th Legislative District in Charles County; ~~providing that~~
 18 ~~one Class BLX license may be used for several restaurants under certain~~
 19 ~~conditions in Charles County;~~ making certain stylistic changes; and generally
 20 relating to alcoholic beverages licenses in Calvert County and Charles County.

21 BY repealing and reenacting, without amendments,
 22 Article 2B - Alcoholic Beverages
 23 Section 6-201(f)(1) and (j)(1)
 24 Annotated Code of Maryland
 25 (2005 Replacement Volume)

1 BY adding to
2 Article 2B - Alcoholic Beverages
3 Section 6-201(f)(4)
4 Annotated Code of Maryland
5 (2005 Replacement Volume)

6 BY repealing and reenacting, with amendments,
7 Article 2B - Alcoholic Beverages
8 Section 6-201(j)(4)
9 Annotated Code of Maryland
10 (2005 Replacement Volume)

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

13 **Article 2B - Alcoholic Beverages**

14 6-201.

15 (f) (1) This subsection applies only in Calvert County.

16 (4) (I) IN THE 27TH LEGISLATIVE DISTRICT OF CALVERT COUNTY,
17 THERE IS A CLASS BLX LICENSE FOR LUXURY-TYPE RESTAURANTS.

18 (II) THE CLASS BLX LICENSE SHALL BE APPLIED FOR IN THE SAME
19 MANNER AS ARE OTHER CLASSES OF LICENSES.

20 (III) THE LICENSE FEE IS ~~\$1,500~~ \$2,400.

21 (IV) A LUXURY-TYPE RESTAURANT SHALL BE DEFINED BY THE
22 COUNTY LIQUOR BOARD.

23 (V) TO QUALIFY FOR A CLASS BLX LICENSE, A RESTAURANT SHALL
24 HAVE:

25 1. A MINIMUM CAPITAL INVESTMENT OF ~~\$1,000,000~~ \$500,000
26 FOR THE DINING ROOM FACILITIES AND KITCHEN EQUIPMENT, NOT INCLUDING THE
27 COST OF LAND, BUILDINGS, OR LEASES; AND

28 2. A SEATING CAPACITY OF AT LEAST 150 PERSONS.

29 ~~(VI) A HOLDER OF A CLASS BLX LICENSE MAY SERVE MEALS ONLY~~
30 ~~FROM 2 P.M. UNTIL THE LEGAL CLOSING HOUR.~~

31 ~~(VII) THE BOARD OF LICENSE COMMISSIONERS MAY NOT ISSUE~~
32 ~~MORE THAN 15 CLASS BLX LICENSES.~~

33 ~~(VIII)~~ NOTWITHSTANDING ANY OTHER PROVISION IN THIS ARTICLE,
34 A PERSON MAY NOT HOLD MORE THAN SIX CLASS BLX LICENSES.

~~(IX) A PERSON THAT IS AN INDIVIDUAL, PARENT CORPORATION, OR OTHER ENTITY THAT OWNS SIX OR MORE RESTAURANT GROUPS THAT EACH HAVE DISTINCT CUISINES AND THAT ARE DESIGNATED BY SEPARATE BRANDS OR CONCEPTS MAY BE ISSUED ONE CLASS BLX LICENSE THAT MAY BE USED FOR ALL THE RESTAURANTS IN A GROUP.~~

(j) (1) This subsection applies only in Charles County.

(4) (i) There is in addition to the classes provided for, a special Class B license known as a Class BLX, which is issued only to luxury-type restaurants.

(ii) The Class BLX license shall be applied for in the same manner as are other classes of licenses.

(iii) The license fee is ~~[\$2,400]~~ \$1,500.

(iv) A luxury-type restaurant shall be defined by the Board of [Liquor] License Commissioners.

(v) [The] TO QUALIFY FOR A CLASS BLX LICENSE A restaurant [may not] SHALL have:

1. [Less than a] A minimum capital investment of ~~[\$550,000]~~ \$1,000,000 for the dining room facilities and kitchen equipment, not including the cost of land, buildings, or leases; and

2. A seating capacity of [less than] AT LEAST 150 persons.

~~(VI) A HOLDER OF A CLASS BLX LICENSE MAY SERVE MEALS ONLY FROM 2 P.M. UNTIL THE LEGAL CLOSING HOUR.~~

~~(VII) THE BOARD OF LICENSE COMMISSIONERS MAY NOT ISSUE MORE THAN 15 CLASS BLX LICENSES.~~

~~(VIII) NOTWITHSTANDING ANY OTHER PROVISION IN THIS ARTICLE, IN THE 28TH LEGISLATIVE DISTRICT OF CHARLES COUNTY, A PERSON MAY NOT HOLD MORE THAN SIX CLASS BLX LICENSES.~~

~~(IX) A PERSON THAT IS AN INDIVIDUAL, PARENT CORPORATION, OR OTHER ENTITY THAT OWNS SIX OR MORE RESTAURANT GROUPS THAT EACH HAVE DISTINCT CUISINES AND THAT ARE DESIGNATED BY SEPARATE BRANDS OR CONCEPTS MAY BE ISSUED ONE CLASS BLX LICENSE THAT MAY BE USED FOR ALL THE RESTAURANTS IN A GROUP.~~

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2006.

