

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 115

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, strike “certain areas” and substitute “a certain area”; in line 9, after “determine” insert “the number of Class B-DD licenses to be issued,”; in the same line, after “issued” insert a comma; in line 11, after “license;” insert “limiting the number of Class B-DD licenses that may be issued in a certain area; limiting the number of Class B-DD licenses that a license holder in a certain area may hold for restaurants in that area; authorizing the Board of License Commissioners to revoke a license to enforce certain provisions; requiring certain restaurants to submit a certain monthly report to the Board of License Commissioners;”; strike beginning with “repealing” in line 11 down through “license;” in line 12; in line 14, strike “certain areas, including in”; in line 15, strike “area,” and substitute “area as the area”; and strike beginning with “repealing” in line 15 down through “circumstances;” in line 17.

On page 2, in line 2, after “6–201(r)(15)” insert “and 9–217(f)(7)”; strike in their entirety lines 5 through 9, inclusive; in line 12, strike the first “and”; and in the same line, after “and (5)” insert “, and 10–401(g)(5)”.

AMENDMENT NO. 2

On page 2, in line 23, strike “**\$1,000**” and substitute “**\$2,750**”; and in line 25, strike “**§ 9–217(F)(5)**” and substitute “**§ 9–217(F)(7)**”.

On page 3, in line 1, after “(VI)” insert “**1.**”; in line 2, after “DETERMINE” insert “**THE NUMBER OF CLASS B-DD LICENSES TO BE ISSUED,**”; in the same line, after “ISSUED” insert a comma; after line 3, insert:

“2. NOTWITHSTANDING SUBSUBPARAGRAPH 1 OF THIS SUBPARAGRAPH, THE BOARD OF LICENSE COMMISSIONERS MAY NOT

(Over)

ISSUE A CLASS B-DD LICENSE TO ANY RESTAURANT LOCATED WITHIN THE AREA DESCRIBED IN § 9-217(F)(7) OF THIS ARTICLE, IF, AT THE TIME OF ISSUANCE:

A. THERE ARE FOUR RESTAURANTS OPERATING WITH A CLASS B-DD LICENSE WITHIN THAT AREA; OR

B. THE APPLICANT FOR THAT LICENSE IS THE LICENSE HOLDER OF THREE CLASS B-DD LICENSES FOR RESTAURANTS OPERATING WITHIN THAT AREA.”;

and after line 9, insert:

“(IX) 1. A RESTAURANT IN THE CAPITAL PLAZA COMMERCIAL AREA DESCRIBED IN § 9-217(F)(7) OF THIS ARTICLE IS NOT ELIGIBLE FOR A CLASS B-DD LICENSE UNLESS:

A. IT SATISFIES ALL OF THE REQUIREMENTS SET FORTH IN PARAGRAPH (1)(II)3 OF THIS SUBSECTION; AND

B. ITS AVERAGE DAILY RECEIPTS FROM THE SALE OF FOOD AND NONALCOHOLIC BEVERAGES EXCEED ITS AVERAGE DAILY RECEIPTS FROM THE SALE OF ALCOHOLIC BEVERAGES.

2. THE BOARD OF LICENSE COMMISSIONERS MAY REVOKE A LICENSE IN ORDER TO ENFORCE THE PROVISIONS OF THIS SUBPARAGRAPH.

3. A LICENSE HOLDER FOR A RESTAURANT DESCRIBED IN SUBSUBPARAGRAPH 1 OF THIS SUBPARAGRAPH SHALL SUBMIT A

MONTHLY REPORT TO THE BOARD OF LICENSE COMMISSIONERS OF THE RESTAURANT'S AVERAGE DAILY RECEIPTS FROM THE SALE OF FOOD AND NONALCOHOLIC BEVERAGES AND THE RESTAURANT'S AVERAGE DAILY RECEIPTS FROM THE SALE OF ALCOHOLIC BEVERAGES TO VERIFY THAT THE RESTAURANT HAS MET THE REQUIREMENTS OF SUBSUBPARAGRAPH 1 OF THIS SUBPARAGRAPH.

On pages 3 and 4, strike in their entirety the lines beginning with line 10 on page 3 through line 9 on page 4, inclusive.

On page 4, in line 13, after "licenses," insert "**ISSUANCE, RENEWAL, OR TRANSFER OF**".

On page 5 in lines 15, 16, 19, and 28, on page 6 in line 11, and on page 7 in line 7, in each instance, strike the bracket.

On page 5, in line 1, strike "subsection" and substitute "**SUBSECTION**"; in line 16, strike "**THE**"; and strike beginning with "**ISSUE**" in line 19 down through "**RESTAURANT**" in line 20.

On page 6, strike in their entirety lines 1 through 5, inclusive.

On page 7, after line 7, insert:

"(7) SUBJECT TO § 6-201(R)(15) OF THIS ARTICLE, THE BOARD OF LICENSE COMMISSIONERS MAY ISSUE UP TO FOUR CLASS B-DD (DEVELOPMENT DISTRICT) LICENSES FOR RESTAURANTS LOCATED WITHIN THE CAPITAL PLAZA COMMERCIAL AREA, CONSISTING OF COMMERCIAL PROPERTIES WITHIN THE AREA BOUNDED BY THE BALTIMORE-WASHINGTON PARKWAY ON THE WEST AND NORTHWEST, MARYLAND ROUTE 450 ON THE SOUTH, AND COOPER LANE ON THE EAST AND NORTHEAST.

(Over)

10-401.

(g) (5) In addition to the above, the Board may revoke the license of a licensee for:

(i) A felony conviction of a licensee or any stockholder of a corporation having the use of an alcoholic beverages license; [or]

(ii) **FAILURE TO COMPLY WITH § 6-201(R)(15)(IX) OF THIS ARTICLE; OR**

(iii) Closing the licensed premises for more than 30 days without the Board's permission. The Board may allow a closing of the licensed premises for a reasonable period of time."