

# Chapter 302

(Senate Bill 875)

AN ACT concerning

## **Alcoholic Beverages – Baltimore County ~~Executive and County Council of Baltimore County~~ – License Fees**

FOR the purpose of ~~repealing certain alcoholic beverages license fees in Baltimore County; authorizing the Baltimore County Executive and the County Council of Baltimore County to establish alcoholic beverages license fees within Baltimore County; and generally relating to the Baltimore County Executive and the County Council of Baltimore County regulating~~ altering alcoholic beverages license fees within Baltimore County; and generally relating to alcoholic beverages license fees in Baltimore County.

BY repealing and reenacting, without amendments,

Article 2B – Alcoholic Beverages

Section 4–201(a)(2), 5–101(a)(1), 5–201(a)(1), 5–301(a)(1), 5–401(a)(1), 6–101(a)(1), 6–201(a)(1), 6–301(a)(1), 6–401(a)(1), ~~6–702(b)~~, 7–101(b)(1)(i) and (d)(1)(i), 8–204(c), 8–204.1(c), 8–304(a), 8–404(a)(1), ~~8–404.1(a), (b), and (c)~~ and 8–802(a)

Annotated Code of Maryland

(2005 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages

Section 5–101(e), 5–201(e)(1), 5–301(e), 5–401(e)(1), 6–101(e), 6–201(e)(2), 6–301(e), 6–401(e)(2), ~~6–702(g)~~, 7–101(b)(4) and (d)(4)(i), 8–204(e), 8–204.1(e), 8–304(d), 8–404(a)(5), ~~8–404.1(d), 8–601~~, and 8–802(d)

Annotated Code of Maryland

(2005 Replacement Volume and 2010 Supplement)

BY adding to

Article 2B – Alcoholic Beverages

Section 4–201(b)(8) ~~and 18–105~~

Annotated Code of Maryland

(2005 Replacement Volume and 2010 Supplement)

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

### **Article 2B – Alcoholic Beverages**

4-201.

(a) A Class A light wine license may be issued only in:

(2) Baltimore County;

(b) **(8) IN BALTIMORE COUNTY, THE FEE FOR THIS LICENSE ~~SHALL BE ESTABLISHED AS PROVIDED IN § 18-105 OF THIS ARTICLE~~ IS \$100.**

5-101.

(a) (1) A Class A beer and light wine license shall be issued by the license issuing authority of the county in which the place of business is located. The holder of the license may keep for sale and sell beer and light wines at retail, in any quantity to any consumers, at the place described in the license. The holder shall deliver the beer and light wines in a sealed package or container, which package or container may not be opened nor its contents consumed on the premises where sold.

(e) In Baltimore County the annual license fee [is \$100] ~~SHALL BE ESTABLISHED AS PROVIDED IN § 18-105 OF THIS ARTICLE~~ IS \$250.

5-201.

(a) (1) A Class B beer and light wine license shall be issued by the license issuing authority of the county in which the place of business is located. The holder may keep for sale and sell beer and light wines at retail at any hotel or restaurant, at the place described in the license, for consumption on the premises or elsewhere.

(e) (1) In Baltimore County the annual license fee [is \$150] ~~SHALL BE ESTABLISHED AS PROVIDED IN § 18-105 OF THIS ARTICLE~~ IS \$300.

5-301.

(a) (1) Except as provided in subsection (n) of this section, a Class C beer and light wine license shall be issued by the license issuing authority of the county in which the place of business is located. The holder of the license may keep for sale and sell beer and light wines at retail to bona fide members and their guests, at any club, at the place described in the license, for consumption on the premises only.

(e) In Baltimore County the annual license fee [is \$35] ~~SHALL BE ESTABLISHED AS PROVIDED IN § 18-105 OF THIS ARTICLE~~ IS \$150.

5-401.

(a) (1) A Class D beer and light wine license shall be issued by the license issuing authority of the county in which the place of business is located. The license authorizes its holder to keep for sale and to sell beer and light wines at retail, at the place described in the license, for consumption on the premises or elsewhere. The license may not be issued for any drugstore.

(e) (1) In Baltimore County the annual license fee [is \$100] ~~SHALL BE ESTABLISHED AS PROVIDED IN § 18-105 OF THIS ARTICLE~~ IS \$250.

6-101.

(a) (1) A Class A beer, wine and liquor license shall be issued by the license issuing authority of the county in which the place of business is located. The license authorizes the holder to keep for sale and to sell all alcoholic beverages at retail, in any quantity, at the place described in the license. The licensee shall deliver the alcoholic beverages in a sealed package or container and the package or container may not be opened nor its contents consumed on the premises where sold.

(e) In Baltimore County the annual license fee [is \$600] ~~SHALL BE ESTABLISHED AS PROVIDED IN § 18-105 OF THIS ARTICLE~~ IS \$900.

6-201.

(a) (1) A Class B beer, wine and liquor license shall be issued by the license issuing authority of the county in which the place of business is located, and the license authorizes its holder to keep for sale and sell all alcoholic beverages at retail at any hotel or restaurant at the place described, for consumption on the premises or elsewhere, or as provided in this section.

(e) (2) The annual fee for a license [is \$1,000] ~~SHALL BE ESTABLISHED AS PROVIDED IN § 18-105 OF THIS ARTICLE~~ IS \$1,500.

6-301.

(a) (1) Except as provided in subsection (n) of this section, a Class C beer, wine and liquor license shall be issued by the license issuing authority of the county in which the place of business is located. It authorizes the holder to keep for sale and sell all alcoholic beverages at retail at any club, at the place described in the license, for consumption on the premises only.

(e) In Baltimore County the annual license fee [is \$500] ~~SHALL BE ESTABLISHED AS PROVIDED IN § 18-105 OF THIS ARTICLE~~ IS \$1,000.

6-401.

(a) (1) A Class D beer, wine and liquor license shall be issued by the license issuing authority of the county in which the place of business is located. It authorizes the holder to keep for sale and sell all alcoholic beverages at retail at the place described in it, for consumption on the premises or elsewhere. A license may not be issued for any drugstore.

(e) (2) The annual license fee [is \$1,000] ~~SHALL BE ESTABLISHED AS PROVIDED IN § 18-105 OF THIS ARTICLE~~ IS \$1,500.

~~6-702.~~

~~(b) In this section “caterer” means a Class B or Class D on-sale beer, wine and liquor licensee who contracts to provide food and sell alcoholic beverages to sponsors of public or private events held off the premises.~~

~~(g) The annual license fee for the special off-sale license privilege [is \$500] SHALL BE ESTABLISHED AS PROVIDED IN § 18-105 OF THIS ARTICLE AND SHALL BE in addition to the annual fee for the Class B or Class D on-sale beer, wine and liquor license.~~

7-101.

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

(4) In Baltimore County the fee ~~is \$10~~ \$30 per day, except that for any bona fide religious, fraternal, civic, war veterans’, hospital or charitable organization, the fee is ~~\$5~~ SHALL BE ESTABLISHED AS PROVIDED IN § 18-105 OF THIS ARTICLE \$20.

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

(4) (i) In Baltimore County:

1. The fee for this license ~~is \$25~~ \$50 per day, except that for any bona fide religious, fraternal, civic, war veterans’, hospital or charitable

organization, the fee for this license is ~~[\$15] SHALL BE ESTABLISHED AS PROVIDED IN § 18-105 OF THIS ARTICLE~~ \$35; and

2. The holder of a special 7-day Class C beer, wine and liquor license may purchase beer and light wine from a wholesale dealer.

8-204.

(c) There is a 7-day Class BDR (deluxe restaurant) (on-sale) beer, wine and liquor license. This license may only be issued for the use of restaurants that:

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

(2) Have a minimum seating capacity of 150 persons for dining;

(3) Have a cocktail lounge or bar area seating capacity not exceeding 25 percent of the seating capacity for dining;

(4) Have parking facilities to accommodate a minimum of 75 vehicles; and

(5) Have a minimum capital investment of \$800,000 by the applicant exclusive of the cost of the land and buildings.

(e) The annual license fee is ~~[\$1,000] SHALL BE ESTABLISHED AS PROVIDED IN § 18-105 OF THIS ARTICLE~~ \$2,000.

8-204.1.

(c) The Board may issue a special theater (on-sale) beer, wine and liquor license for use in a theater if the theater:

(1) Is housed within a building;

(2) Has a capacity to hold a minimum of 1,500 permanently installed seats; and

(3) Regularly presents live entertainment.

(e) The annual license fee ~~[is \$1,000] SHALL BE ESTABLISHED AS PROVIDED IN § 18-105 OF THIS ARTICLE~~ IS \$2,000.

8-304.

(a) The Baltimore County Board of License Commissioners may issue a special wine festival license.

(d) The license fee [is \$15] ~~SHALL BE ESTABLISHED AS PROVIDED IN § 18-105 OF THIS ARTICLE IS \$60.~~

~~8-404.~~

(a) (1) The Baltimore County Board of License Commissioners may issue a WS (wine sampling) permit to bona fide nonprofit organizations.

(5) The permit fee [is \$15 \$30 per day] ~~SHALL BE ESTABLISHED AS PROVIDED IN § 18-105 OF THIS ARTICLE.~~

~~§ 404.1.~~

~~(a) This section applies in Baltimore County.~~

~~(b) The Board of License Commissioners may issue a Class BWT beer and light wine (on-premises) tasting license to the holder of a Class A beer and light wine license.~~

~~(c) The Board of License Commissioners may issue a Class BWLT beer, wine and liquor (on-premises) tasting license to a holder of a Class A beer, wine and liquor license.~~

~~(d) (1) The fees for a Class BWT and Class BWLT license [are as follows:~~

~~(i) \$20 for a daily tasting license, which may be issued not more than 12 times in any annual license year;~~

~~(ii) \$200 annually for a 26-day tasting license, which may be used consecutively or nonconsecutively;~~

~~(iii) \$300 annually for a 52-day tasting license, which may be used consecutively or nonconsecutively; and~~

~~(iv) \$400 annually for a 104-day tasting license, which may be used consecutively or nonconsecutively.] SHALL BE ESTABLISHED AS PROVIDED IN § 18-105 OF THIS ARTICLE.~~

~~(2) The fees for a Class BWT license and Class BWLT license are in addition to the Class A annual license fee.~~

~~§ 601.~~

~~(a) In Baltimore County the owner or owners of any regular licensed racing establishment, or the concessionaire or catering organization at such place, whether an individual, association or corporation, shall without additional residential, voting or locative qualifications be entitled to procure a license for the sale of beer and light wine within the confines of its racing park in said county[, at a cost for such license of \$25.00 per day]; and shall be entitled to procure a license for the sale of beer, wine and liquor within the confines of its racing park in said county[, at a cost for such license of \$50.00 per day.] and shall entitle the holder to sell at one or more locations within its said park. Such licenses and the licensees thereunder shall be subject to all laws, rules and regulations applicable in Baltimore County to the sale of alcoholic beverages, not inconsistent with the provisions of this section.~~

~~(B) THE FEES FOR A LICENSE ISSUED UNDER THIS SECTION SHALL BE ESTABLISHED AS PROVIDED IN § 18-105 OF THIS ARTICLE.~~

~~[(b)] (C) The provisions of this section are not restricted by the provisions in subsection (b) of § 12-107 of this article.~~

8-802.

(a) The Baltimore County Board of License Commissioners may issue a special beer festival license.

(d) The license fee ~~[is \$15 \$50] SHALL BE ESTABLISHED AS PROVIDED IN § 18-105 OF THIS ARTICLE.~~

~~18-105.~~

~~THE BALTIMORE COUNTY EXECUTIVE AND THE COUNTY COUNCIL OF BALTIMORE COUNTY SHALL REGULATE THE ALCOHOLIC BEVERAGES LICENSE FEES WITHIN BALTIMORE COUNTY.~~

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2011.

Approved by the Governor, May 10, 2011.