

# Chapter 210

(Senate Bill 235)

AN ACT concerning

## Baltimore City – Alcoholic Beverages – License Revocation

FOR the purpose of ~~requiring the Board of Liquor License Commissioners for Baltimore City to require a licensee to close to the public the entire operation of the premises for not less than a certain number of days under certain circumstances; prohibiting the appeal of a certain closure prohibiting the Board of Liquor License Commissioners for Baltimore City or a court from staying an order to revoke an alcoholic beverages license until a certain number of days after a license is revoked; providing that a person whose license revocation by the Board is subsequently overturned on appeal is entitled to reimbursement for lost wages as a result of a certain prohibition; specifying that in Baltimore City, an order by the Board of Liquor License Commissioners to revoke a license may be stayed, pending appeal, only by the court with which the appeal has been filed; prohibiting a person whose license has been revoked by the Board from giving, serving, dispensing, keeping, or allowing to be consumed any alcoholic beverages until certain circumstances occur; and generally relating to the revocation of an alcoholic beverages license in Baltimore City.~~

BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages

Section 16–101(c)

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

BY adding to

Article 2B – Alcoholic Beverages

Section 16–103

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

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

### Article 2B – Alcoholic Beverages

16–101.

(c) (1) [Upon] SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, ON the filing of an appeal, the local licensing board may stay its order until the final determination thereof.

~~(2) IN BALTIMORE CITY, THE BOARD OF LIQUOR LICENSE COMMISSIONERS OR A COURT MAY NOT STAY AN ORDER TO REVOKE A LICENSE PENDING JUDICIAL REVIEW UNTIL 45 DAYS AFTER THE LICENSE IS REVOKED AN ORDER BY THE BOARD OF LIQUOR LICENSE COMMISSIONERS TO REVOKE A LICENSE MAY BE STAYED, PENDING APPEAL, ONLY BY THE COURT WITH WHICH THE APPEAL HAS BEEN FILED.~~

~~(3) A PERSON WHOSE LICENSE REVOCATION BY THE BOARD OF LIQUOR LICENSE COMMISSIONERS FOR BALTIMORE CITY IS SUBSEQUENTLY OVERTURNED ON APPEAL IS ENTITLED TO REIMBURSEMENT FOR LOST WAGES AS A RESULT OF PARAGRAPH (2) OF THIS SUBSECTION.~~

16-103.

~~(A) NOTWITHSTANDING ANY OTHER PROVISION IN THIS SUBTITLE, THE BOARD OF LIQUOR LICENSE COMMISSIONERS FOR BALTIMORE CITY WHEN REVOKING A LICENSE SHALL REQUIRE THE LICENSEE TO CLOSE IMMEDIATELY TO THE PUBLIC THE ENTIRE OPERATION OF THE PREMISES FOR NOT LESS THAN 45 DAYS.~~

~~(B) THE CLOSURE REQUIRED UNDER SUBSECTION (A) OF THIS SECTION MAY NOT BE APPEALED.~~

A PERSON WHOSE LICENSE HAS BEEN REVOKED BY THE BOARD OF LIQUOR LICENSE COMMISSIONERS FOR BALTIMORE CITY MAY NOT GIVE, SERVE, DISPENSE, KEEP, OR ALLOW TO BE CONSUMED ANY ALCOHOLIC BEVERAGES UNTIL A STAY IS GRANTED IN ACCORDANCE WITH § 16-101(C) OF THIS SUBTITLE OR THE REVOCATION IS REVERSED ON APPEAL.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2013.

Approved by the Governor, May 2, 2013.