

## Chapter 400

(House Bill 1082)

AN ACT concerning

**Prince George's County – Alcoholic Beverages – ~~Class BCE and Class A Licenses and~~ Class B–AE Licenses**

PG 317–13

FOR the purpose of increasing the number of ~~Class BCE alcoholic beverages licenses for catering establishments and~~ Class B–AE (arts and entertainment) alcoholic beverages licenses that may be issued in Prince George's County; prohibiting the Board of License Commissioners of Prince George's County from issuing a new Class A license or transferring an existing Class A license to a location within a certain distance of a correctional facility; and generally relating to alcoholic beverages licenses in Prince George's County.

BY repealing and reenacting, without amendments,  
 Article 2B – Alcoholic Beverages  
 Section 6–201(r)(8) and (18) and 9–217(a)  
 Annotated Code of Maryland  
 (2011 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
 Article 2B – Alcoholic Beverages  
 Section 9–217(b)  
 Annotated Code of Maryland  
 (2011 Replacement Volume and 2012 Supplement)

BY adding to  
Article 2B – Alcoholic Beverages  
Section 9–217(e–1)  
Annotated Code of Maryland  
(2011 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,  
Article – Correctional Services  
Section 1–101(d)  
Annotated Code of Maryland  
(2008 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**

6–201.

- (r) (8) (i) There is a Class BCE license.
  - (ii) The annual license fee is \$3,630.
  - (iii) The Board may issue a special Class B on–sale beer, wine and liquor license to be known as Class BCE which shall be issued only to catering establishments.
  - (iv) A catering establishment shall be defined by the regulations of the Board which shall require that:
    - 1. The catering establishment have a minimum capital investment of \$500,000 for dining room facilities and kitchen equipment. This sum may not include the cost of land, buildings, or a lease; and
    - 2. A minimum seating capacity of 150 persons.
  - (v) The Board shall prescribe regulations pertaining to the hours and days of sale.
  - (vi) Food shall be served with alcoholic beverages.
  - (vii) A Class BCE license is limited and restricted to the purpose of providing alcoholic beverages for consumption on the licensed premises by participants of catered events only, and off–sale privileges may not be exercised.
- (18) (i) There is a Class B–AE (arts and entertainment) beer, wine and liquor license.
- (ii) A Class B–AE license may be issued only to an establishment in the Prince George’s County arts and entertainment district as approved by the County Council in Council Resolution CR–83–2001.
  - (iii) The license authorizes the holder to sell beer, wine, and liquor for consumption on the licensed premises only.
  - (iv) A person may not hold more than 2 Class B–AE licenses.
  - (v) The annual license fee is \$2,750.

(vi) The Board of License Commissioners shall adopt regulations to carry out this paragraph, including regulations specifying hours and days of sale.

9-217.

(a) This section applies only in Prince George’s County.

(b) Subject to subsection (b-1) of this section, the number of licenses of each class of alcoholic beverage licenses may not exceed the following maximum amounts:

|      |                                                     |                            |
|------|-----------------------------------------------------|----------------------------|
| (1)  | Beer license, Class A .....                         | 19                         |
| (2)  | Beer license, Class B .....                         | 23                         |
| (3)  | Beer license, Class C .....                         | 3                          |
| (4)  | Beer license, Class D .....                         | 76                         |
| (5)  | Beer and light wine license, Class A.....           | 26                         |
| (6)  | Beer and light wine license, Class B.....           | 45                         |
| (7)  | Beer and light wine license, Class B-GC .....       | 4                          |
| (8)  | Beer and light wine license, Class B-Stadium .....  | 1                          |
| (9)  | Beer and light wine license, Class C.....           | 8                          |
| (10) | Beer and light wine license, Class D .....          | 55                         |
| (11) | Beer, wine and liquor license, Class A.....         | 142                        |
| (12) | Beer, wine and liquor license, Class B.....         | 185                        |
| (13) | Beer, wine and liquor license, Class B-AE .....     | <b>[5] <del>10</del> 8</b> |
| (14) | Beer, wine and liquor license, Class BCE .....      | <b>[8] <del>15</del></b>   |
| (15) | Beer, wine and liquor license, Class B-CI.....      | 2                          |
| (16) | Reserved.                                           |                            |
| (17) | Beer, wine and liquor license, Class B/ECF .....    | 1                          |
| (18) | Beer, wine and liquor license, Class B-ECF/DS ..... | 1                          |

(19) Beer, wine and liquor license, Class B–ECR..... 1

(20) Beer, wine and liquor license, Class B–Stadium ..... 1

(21) Beer, wine and liquor license, Class C

    (i) Under § 6–301(r)(2)..... 30

    (ii) Under § 6–301(r)(3)..... 25

    (iii) Under § 6–301(r)(4)..... 4

    (iv) Under § 6–301(r)(5)..... 12

    (v) Under § 6–301(r)(7)..... 1

**(E-1) THE BOARD OF LICENSE COMMISSIONERS MAY NOT ISSUE A NEW CLASS A LICENSE FOR OR TRANSFER AN EXISTING CLASS A LICENSE TO A LOCATION WITHIN THREE-FOURTHS OF A MILE OF A CORRECTIONAL FACILITY, AS DEFINED IN § 1-101 OF THE CORRECTIONAL SERVICES ARTICLE, IN UPPER MARLBORO.**

**Article – Correctional Services**

**1-101.**

**(d) “Correctional facility” means a facility that is operated for the purpose of detaining or confining adults who are charged with or found guilty of a crime.**

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

**Approved by the Governor, May 2, 2013.**