

HOUSE BILL 1081

A2

3lr0340

By: **Prince George's County Delegation**

Introduced and read first time: February 8, 2013

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Prince George's County – Alcoholic Beverages – Entertainment Permit –**
3 **Exemption for Class BH Licensees**

4 **PG 301–13**

5 FOR the purpose of specifying that a holder of a Class BH alcoholic beverages license
6 in Prince George's County need not obtain an entertainment permit before
7 providing entertainment; altering a certain definition; making technical
8 corrections; and generally relating to the issuance of entertainment permits in
9 Prince George's County.

10 BY repealing and reenacting, without amendments,
11 Article 2B – Alcoholic Beverages
12 Section 6–201(r)(1)(i)
13 Annotated Code of Maryland
14 (2011 Replacement Volume and 2012 Supplement)

15 BY repealing and reenacting, with amendments,
16 Article 2B – Alcoholic Beverages
17 Section 6–201(r)(4) and (19)(i)
18 Annotated Code of Maryland
19 (2011 Replacement Volume and 2012 Supplement)

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

22 **Article 2B – Alcoholic Beverages**

23 6–201.

24 (r) (1) (i) This subsection applies only in Prince George's County.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (4) (i) There is a special Class B license known as Class BH, which
2 may be issued only to hotels.

3 (ii) The annual license fee is \$5,000.

4 (iii) In this paragraph, “hotel” means an establishment:

5 1. [Which] **THAT** is recognized as a hotel for the
6 accommodation of the public providing services ordinarily found in hotels;

7 2. [Which] **THAT** is equipped with:

8 A. Not less than 45 bedrooms;

9 B. A lobby with registration and mail desk and seating
10 facilities; and

11 C. A dining room with facilities for preparing and
12 serving regular meals;

13 3. Where the average daily receipts from the hire of
14 rooms and the sale of food exceeds the average daily receipts from the sale of alcoholic
15 beverages; [and]

16 4. Where the capital investment in the facility, including
17 the building or buildings and all fixtures and systems contained therein and
18 components thereof, parking compound, swimming pool and other recreational areas,
19 landscaping, site preparation and improvements and infrastructure, engineering,
20 architectural and other similar costs but excluding the cost of land furnishings and
21 removable equipment and personal property, is not less than \$30,000 per bedroom;
22 **AND**

23 **5. THAT COLLECTS THE COUNTY HOTEL**
24 **OCCUPANCY TAX FROM GUESTS USING THE ESTABLISHMENT.**

25 (iv) Class BH licenses are subject to all other provisions
26 pertaining to Class B beer, wine and liquor licenses, except that any restrictions
27 against the sale of alcoholic beverages on Sunday appearing in § 11–517 of this article
28 and elsewhere in this article do not apply; and any alcoholic beverages may not be
29 sold, served or consumed on the licensed premises on Sunday after 2 a.m. and before
30 10 a.m.

31 (v) 1. In addition to the other privileges granted under this
32 paragraph, a holder of a Class BH beer, wine and liquor (on–sale) license for hotel use

1 may sell alcoholic beverages in sealed containers to hotel guests who are 21 years of
2 age or older if:

3 A. The alcoholic beverages, other than beer and wine,
4 are sold in sealed containers of under 200 milliliters;

5 B. The alcoholic beverages are sold from locked
6 prestocked private bars located within individual guest rooms; and

7 C. The charges for the alcoholic beverages sold are
8 indicated on the respective guest room bill.

9 2. If a room is rented to a guest under 21 years of age,
10 the hotel management is responsible for removing the bar key from the room.

11 (vi) The Board shall adopt regulations to establish compliance
12 with the provisions of this paragraph.

13 (19) (i) A license holder that seeks to provide entertainment is not
14 required to obtain a permit under this paragraph if:

15 1. The license is issued under paragraph (3), **(4)**, (9),
16 (10), (11), (12), (13), (16), or (17) of this subsection or § 5–201(r)(4) of this article;

17 2. The Board of License Commissioners determines that
18 the holder's principal business is to provide family entertainment;

19 3. The license is a Class B (on-sale) license issued for a
20 restaurant, and the license holder provides entertainment for adults and children
21 that:

22 A. Is ancillary to the operation of the business; and

23 B. Is not the primary focus of marketing or promotion for
24 the business; or

25 4. The license is a veterans or fraternal Class C license,
26 and the license holder provides entertainment that:

27 A. Is under the direct supervision of the license holder;

28 B. Is for adults, children, and families of the
29 organization or the public; and

30 C. When offered, ends not later than midnight.

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