

SENATE BILL 692

A2

4r2905
CF HB 322

By: **Senators Shank, Edwards, and Young**

Introduced and read first time: January 31, 2014

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Washington County – Alcoholic Beverages – Restaurant Seating Capacity**

3 FOR the purpose of reducing the seating capacity requirement for Class B alcoholic
4 beverages (on-sale) restaurants in Washington County; and generally relating
5 to alcoholic beverages licenses in Washington County.

6 BY repealing and reenacting, with amendments,
7 Article 2B – Alcoholic Beverages
8 Section 9–222(b)
9 Annotated Code of Maryland
10 (2011 Replacement Volume and 2013 Supplement)

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

13 **Article 2B – Alcoholic Beverages**

14 9–222.

15 (b) (1) (i) In this subsection the following words have the meanings
16 indicated.

17 (ii) “Population ratio quota” means 1 license for each 1,000
18 individuals, excluding individuals detained or confined in a correctional facility as
19 defined under § 1–101(d) of the Correctional Services Article, who reside in the
20 election district where the license will be issued as determined by the last federal
21 population census.

22 (iii) “Restaurant” means an establishment that:

23 1. Is located in a permanent building;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



- 1 2. Regularly sells and serves food to the general public;
- 2 3. Has a seating capacity of at least **[75] 50** persons; and
- 3 4. Has on an annual basis, gross sales of food and
4 nonalcoholic beverages that exceed its annual gross sales of alcoholic beverages.

5 (2) In Washington County, except for a Class B alcoholic beverages
6 (on-sale) license issued to a restaurant and any class of alcoholic beverages license
7 renewed or transferred for the same premises, an alcoholic beverages license may not
8 be issued within an election district if the number of alcoholic beverages licenses
9 exceeds the population ratio quota.

10 (3) (i) If the Washington County Board of License Commissioners
11 determines that there is a public need including governmentally sanctioned economic
12 revitalization for the issuance of a license notwithstanding the population ratio quota,
13 the license may be issued by the Board.

14 (ii) The Board shall state in the order granting the issuance of
15 the license the reasons for its decision to exceed the population ratio quota.

16 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
17 July 1, 2014.