SENATE BILL 619

A2 4lr2818
CF HB 433

By: **Senators Brinkley and Young**
Introduced and read first time: January 30, 2014
Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable
Senate action: Adopted
Read second time: February 21, 2014

CHAPTER _____

AN ACT concerning

Frederick County – Alcoholic Beverages – Organizational Licenses

FOR the purpose of authorizing the Board of License Commissioners of Frederick County to issue a certain alcoholic beverages license to certain organizations located in the county; requiring the net proceeds of the sale of alcoholic beverages under certain licenses to be used solely for certain purposes; and generally relating to alcoholic beverages licenses in Frederick County.

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 7–101(g) and 8–211(a), (b), (c), and (d–1)
Annotated Code of Maryland
(2011 Replacement Volume and 2013 Supplement)

BY adding to
Article 2B – Alcoholic Beverages
Section 8–211(g–1)
Annotated Code of Maryland
(2011 Replacement Volume and 2013 Supplement)

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

Article 2B – Alcoholic Beverages

EXPLANATION: **CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.**
[Brackets**]** indicate matter deleted from existing law.
Underlining indicates amendments to bill.
~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

7–101.

(g) The special licenses provided for in this section may not be issued in any county or in Baltimore City, or in this State in case of application for statewide license, if the issuance of a regular license of the same class is not authorized by this article.

8–211.

(a) The provisions of this section apply only in Frederick County.

(b) A license for the sale of alcoholic beverages authorized by this article may not be issued for any place of business located in any of the following election districts:

(1) Catoctin (6th);

(2) Hauvers (10th);

(3) Jackson (16th);

(4) Linganore (19th); and

(5) Ballenger (23rd).

(c) Class A, B, and C licenses for the sale of beer only, as authorized by this article, shall be issued for places of business located in any of the following election districts:

(1) Jefferson (14th);

(2) Johnsville (17th); and

(3) Burkittsville (22nd).

(d–1) (1) The Board of License Commissioners may issue within the municipal boundaries of the municipal corporation of Middletown:

(i) Class A, B, or C beer licenses;

(ii) Class B beer, wine and liquor (on–sale) licenses if the licensed premises derive at least 70% of its monthly gross revenue from the sale of food; or

(iii) Middletown Wine Festival licenses.

(2) In all other areas of the Middletown (3rd) election district, the Board of License Commissioners may only issue:

(i) Class A, B, or C beer licenses; or

(ii) Middletown Wine Festival licenses.

(G–1) (1) THE RESTRICTIONS IN THIS SECTION AND IN § 7–101(G) OF THIS ARTICLE DO NOT APPLY TO LICENSES ISSUED UNDER THIS SUBSECTION.

(2) THE BOARD OF LICENSE COMMISSIONERS MAY ISSUE A LICENSE FOR THE SALE OF BEER, WINE, AND LIQUOR TO AN ORGANIZATION LOCATED IN THE COUNTY THAT IS A BONA FIDE:

(I) RELIGIOUS ORGANIZATION;

(II) FRATERNAL ORGANIZATION;

(III) CIVIC ORGANIZATION;

(IV) WAR VETERANS' ORGANIZATION; OR

(V) PATRIOTIC ORGANIZATION.

(3) ALL NET PROCEEDS FROM THE SALE OF ALCOHOLIC BEVERAGES BY AN ORGANIZATION LICENSED UNDER PARAGRAPH (2) OF THIS SUBSECTION SHALL BE USED SOLELY FOR CHARITABLE PURPOSES OR OTHERWISE TO FURTHER THE PURPOSES OF THE ORGANIZATION.

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

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.