

HOUSE BILL 797

A2

5lr2395
CF SB 630

By: **Washington County Delegation**

Introduced and read first time: February 13, 2015

Assigned to: Economic Matters

Committee Report: Favorable

House action: Adopted

Read second time: March 3, 2015

CHAPTER _____

1 AN ACT concerning

2 **Alcoholic Beverages – Washington County – Population Ratio Quota**

3 FOR the purpose of altering the population ratio quota that applies to the issuance of
4 certain alcoholic beverages licenses in Washington County; and generally relating to
5 alcoholic beverages 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 2014 Supplement)

11 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
12 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] **3,000**
18 individuals, excluding individuals detained or confined in a correctional facility as defined

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.



1 under § 1–101(d) of the Correctional Services Article, who reside in the election district
2 where the license will be issued as determined by the last federal population census.

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

4 1. Is located in a permanent building;

5 2. Regularly sells and serves food to the general public;

6 3. Has a seating capacity of at least:

7 A. 75 persons for a Class B alcoholic beverages (on–sale)
8 license; or

9 B. 50 persons for a Class P alcoholic beverages (on–sale)
10 license; and

11 4. Has on an annual basis, gross sales of food and
12 nonalcoholic beverages that exceed its annual gross sales of alcoholic beverages.

13 (2) In Washington County, except for a Class P alcoholic beverages
14 (on–sale) license issued to a restaurant and any class of alcoholic beverages license renewed
15 or transferred for the same premises, an alcoholic beverages license may not be issued
16 within an election district if the number of alcoholic beverages licenses exceeds the
17 population ratio quota.

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

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

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
25 1, 2015.