

## Chapter 54

**(Senate Bill 818)**

AN ACT concerning

**Alcoholic Beverages – Baltimore City – ~~Class BWLT License~~ Transfer or Issuance of Licenses**

FOR the purpose of applying certain provisions of law relating to the issuance of a Class BWLT beer, wine, and liquor (on-premises) tasting license to a holder of a Class A beer, wine and liquor license in a certain location in Baltimore City; making a certain exception to a certain prohibition against the transfer or issuance of an alcoholic beverages license near a church or school; authorizing the Board of Liquor License Commissioners for Baltimore City to issue or allow the transfer of a certain license for a proposed establishment in a certain location only if the Board of Liquor License Commissioners has executed a certain memorandum of understanding with a certain community association and enforces a certain memorandum of understanding under certain circumstances; and generally relating to alcoholic beverages licenses in Baltimore City.

BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages

Section 8–403.2 and 9–204.1(f)(6)

Annotated Code of Maryland

(2011 Replacement Volume and 2014 Supplement)

BY repealing and reenacting, without amendments,Article 2B – Alcoholic BeveragesSection 9–204.1(a), (b), and (f)(1)Annotated Code of Maryland(2011 Replacement Volume and 2014 Supplement)

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

**Article 2B – Alcoholic Beverages**

8–403.2.

(a) This section applies only in:

(1) Ward 27, precincts 42 and 44 of the 41st Legislative District of Baltimore City;

(2) Ward 27, precincts 41 and 48 of the 43rd Legislative District of Baltimore City; [and]

(3) Ward 11, precinct 5 of the 44th Legislative District of Baltimore City;

AND

**(4) THE 3000 BLOCK OF FREDERICK AVENUE IN WARD 20, PRECINCT 9 OF THE 44A LEGISLATIVE DISTRICT OF BALTIMORE CITY, BASED ON THE LEGISLATIVE DISTRICTING PLAN OF 2012.**

(b) The Board of Liquor License Commissioners for Baltimore City may issue a Class BWLT beer, wine, and liquor (on-premises) tasting license to a holder of a Class A beer, wine and liquor license.

(c) (1) The fees for a Class BWLT license are as follows:

(i) \$20 for a daily tasting license, which may be issued not more than 12 times in any annual license year;

(ii) \$200 annually for a 26-day tasting license, which may be used consecutively or nonconsecutively;

(iii) \$300 annually for a 52-day tasting license, which may be used consecutively or nonconsecutively; and

(iv) \$750 annually for a tasting license that may be used daily throughout the year.

(2) The fees for a Class BWLT license are in addition to the Class A annual license fee.

(d) (1) A Class BWLT license authorizes the holder to allow the on-premises consumption of beer, light wine, and liquor for tasting or sampling.

(2) A person may consume beer, light wine, or liquor covered by a Class BWLT license in a quantity not exceeding:

(i) 1 ounce of light wine from a given brand in a single day;

(ii) 3 ounces of beer from a given brand in a single day; and

(iii) One-half ounce of liquor from a given brand in a single day.

(e) At the end of each day for which a Class BWLT license is valid, the holder of the license shall dispose of any unconsumed alcoholic beverage remaining in a container that was opened for tasting or sampling.

(f) (1) Each Class A license holder that seeks issuance of a Class BWLT license for which the holder is eligible shall apply for the license on forms provided by the Board of Liquor License Commissioners for Baltimore City.

(2) The forms provided by the Board of Liquor License Commissioners for Baltimore City under paragraph (1) of this subsection for licenses issued under subsection (c)(1)(i) through (iii) of this section shall specify the date or dates on which the tasting is requested to occur.

(3) The application and payment for the daily license under subsection (c)(1)(i) of this section shall be submitted at least 7 days in advance of the tasting event or 7 days in advance of the first day of consecutive day tasting events.

(4) The application and payment for the 26-day tasting license and the 52-day tasting license shall be made at least 7 days in advance of the first proposed tasting event.

(5) The holder of a 26-day tasting license and a 52-day tasting license shall notify the Board of Liquor License Commissioners for Baltimore City, on forms approved by the Board of Liquor License Commissioners for Baltimore City, of additional tasting events authorized by the licenses.

(g) The provisions of this section are not restricted by:

(1) § 12-107(b) of this article; and

(2) The provisions in § 9-102 of this article that prohibit the issuance of two licenses for the same premises.

(h) The holder of a Class BWLT license may exercise the privileges of this section during the hours and days provided for under the holder's respective Class A license.

9-204.1.

(a) In this section, "Board" means the Board of Liquor License Commissioners for Baltimore City.

(b) This section applies only in Baltimore City.

(f) (1) This subsection applies only in the 46th alcoholic beverages district.

(6) (i) Except as provided in subparagraph (ii) of this paragraph, the Board may not transfer or issue a license if the transfer or issuance would result in:

1. The licensed premises being located within 300 feet of the nearest point of a church or a school; or

2. The licensed premises being located closer to the nearest point of a church or a school than the licensed premises was on June 1, 2004.

(ii) This paragraph does not apply to a licensed restaurant in:

1. Ward 4, precinct 1;

2. Ward 22, precinct 1; [or]

3. A residential planned unit development for Silo Point as approved by the Mayor and City Council of Baltimore City in Ordinance 04-697 on June 23, 2004; OR

**4. SUBJECT TO SUBPARAGRAPH (III) OF THIS PARAGRAPH, THE AREA BOUNDED AS FOLLOWS: FROM THE INTERSECTION OF WEST OSTEND STREET AND RACE STREET, NORTH ON RACE STREET TO SELDNER PLACE, THEN EAST ON SELDNER PLACE TO CLARKSON STREET, THEN NORTH ON CLARKSON STREET TO WEST CROSS STREET, THEN EAST ON WEST CROSS STREET TO SOUTH HANOVER STREET, THEN NORTH ON SOUTH HANOVER STREET TO RACE STREET (ALSO KNOWN AS WINTER STREET), THEN WEST/SOUTHWEST ON RACE STREET TO WEST CROSS STREET, THEN WEST ON WEST CROSS STREET TO LEADENHALL STREET, THEN SOUTH ON LEADENHALL STREET TO WEST OSTEND STREET, THEN EAST ON WEST OSTEND STREET BACK TO THE INTERSECTION OF WEST OSTEND STREET AND RACE STREET.**

**(III) FOR A PROPOSED ESTABLISHMENT THAT IS LOCATED WITHIN 300 FEET OF THE NEAREST POINT OF A CHURCH OR SCHOOL, THE BOARD MAY ISSUE OR ALLOW THE TRANSFER OF A LICENSE INTO THE AREA DESCRIBED IN SUBPARAGRAPH (II)4 OF THIS PARAGRAPH ONLY IF:**

**1. THE BOARD HAS EXECUTED A MEMORANDUM OF UNDERSTANDING WITH A COMMUNITY ASSOCIATION IN THE AREA DESCRIBED IN SUBPARAGRAPH (II)4 OF THIS PARAGRAPH REGARDING THE NATURE OF THE PROPOSED ESTABLISHMENT; AND**

**2. THE BOARD ENFORCES THE MEMORANDUM OF UNDERSTANDING AGAINST ANY LICENSE HOLDER THAT OBTAINS A LICENSE UNDER SUBPARAGRAPH (II)4 OF THIS PARAGRAPH AND SEEKS TO RENEW OR TRANSFER THE LICENSE.**

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

**Approved by the Governor, April 14, 2015.**