

Chapter 465

**(Senate Bill 1076)**

AN ACT concerning

**Washington County – Alcoholic Beverages – Population Ratio Quota – Classes of Licenses**

FOR the purpose of prohibiting the Washington County Board of License Commissioners from issuing a Class A off-sale license, a Class B on- and off-sale license, or a Class D on- and off-sale license in an election district if the number of licenses exceeds the population ratio quota; authorizing the Board to issue a Class A off-sale license, a Class B on- and off-sale license, or a Class D on- and off-sale license in an election district if the number of licenses exceeds the population ratio quota under certain circumstances; altering a certain seating capacity requirement for a restaurant to be issued an on-sale license; and generally relating to alcoholic beverages in Washington County.

BY repealing and reenacting, without amendments,

Article – Alcoholic Beverages

Section 31-102

Annotated Code of Maryland

(As enacted by Chapter \_\_\_\_ (S.B. 724) of the Acts of the General Assembly of 2016)

BY repealing and reenacting, with amendments,

Article – Alcoholic Beverages

Section 31-1601

Annotated Code of Maryland

(As enacted by Chapter \_\_\_\_ (S.B. 724) of the Acts of the General Assembly of 2016)

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

**Article – Alcoholic Beverages**

31-102.

This title applies only in Washington County.

31-1601.

(a) In this section, “population ratio quota” means one license for every 3,000 individuals residing in the election district where the license will be issued:

(1) as determined by the last federal population census; but

(2) excluding individuals detained or confined in a correctional facility as defined in § 1-101 of the Correctional Services Article.

(b) Except as provided in subsections (c) and (d) of this section, the Board may not issue a **CLASS A OFF-SALE** license, **A CLASS B ON- AND OFF-SALE LICENSE, OR A CLASS D ON- AND OFF-SALE LICENSE** in an election district if the number of licenses exceeds the population ratio quota.

(c) [For any class of license, the] **THE** Board may:

(1) [issue the license] **ISSUE A CLASS A OFF-SALE LICENSE, A CLASS B ON- AND OFF-SALE LICENSE, OR A CLASS D ON- AND OFF-SALE LICENSE** if the Board:

(i) determines that there is a public need **AND DESIRE**, including government-sanctioned economic revitalization; and

(ii) states in the order issuing the license the reasons for its decision to exceed the population ratio quota; or

(2) renew the license or approve the transfer of a license for the same premises.

(d) The Board may issue an on-sale license to a restaurant that:

(1) is located in a permanent building;

(2) regularly sells and serves food to the public;

(3) has a seating capacity of at least[:

(i) 75 persons for a Class B (on- and off-sale) license; or

(ii)] 50 persons [for a Class B (on-sale) license]; and

(4) has annual gross sales of food and nonalcoholic beverages that exceed its annual gross sales of alcoholic beverages.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2016.

**Approved by the Governor, May 10, 2016.**