

HOUSE BILL 632

A2

6lr1103

By: **Howard County Delegation**

Introduced and read first time: February 4, 2016

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Howard County – Alcoholic Beverages – Luxury Restaurants and Farm**
3 **Breweries – Licenses**

4 **Ho. Co. 14–16**

5 FOR the purpose of altering the maximum number of certain beer, wine and liquor licenses
6 the holder of a Class 8 farm brewery license may hold in Howard County; altering
7 the number of Class BLX (luxury restaurant) (on–sale) beer, wine and liquor licenses
8 the Board of License Commissioners may issue for separate premises to an
9 individual or for the use of a partnership, corporation, or unincorporated association
10 in Howard County; and generally relating to alcoholic beverages licenses in Howard
11 County.

12 BY repealing and reenacting, without amendments,
13 Article – Alcoholic Beverages
14 Section 23–902(a), (c), and (f)
15 Annotated Code of Maryland
16 (As enacted by Chapter ____ (S.B. ____)(6lr1406) of the Acts of the General
17 Assembly of 2016)

18 BY repealing and reenacting, with amendments,
19 Article – Alcoholic Beverages
20 Section 23–902(e) and 23–1606
21 Annotated Code of Maryland
22 (As enacted by Chapter ____ (S.B. ____)(6lr1406) of the Acts of the General
23 Assembly of 2016)

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

26 **Article – Alcoholic Beverages**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 23-902.

2 (a) There is a Class B beer, wine, and liquor license.

3 (c) The license authorizes the license holder to sell beer, wine, and liquor at retail
4 at a hotel or restaurant at the place described in the license for on-premises consumption.

5 (8) The Board may adopt regulations to carry out this subsection, including
6 a limit on the number of permits to be issued.

7 (e) The Comptroller may issue one Class 8 farm brewery license to a license
8 holder that holds not more than two Class B **AND SEVEN CLASS BLX** beer, wine, and
9 liquor licenses.

10 (f) The annual license fees are:

11 (1) \$1,000 for the Class B beer, wine, and liquor license; and

12 (2) \$500 for the off-sale beer and wine permit.

13 23-1606.

14 (a) Subject to subsections (b) and (c) of this section, the Board may issue to an
15 individual or for the use of a person:

16 (1) two Class B (on-sale) beer, wine, and liquor licenses and **[seven] SIX**
17 Class BLX (luxury restaurant)(on-sale) beer, wine, and liquor licenses; or

18 (2) **[nine] EIGHT** Class BLX (luxury restaurant)(on-sale) beer, wine, and
19 liquor licenses.

20 (b) A person may not have a direct or indirect interest in any combination of more
21 than nine Class B and Class BLX licenses.

22 (c) For purposes of this section, an indirect interest is presumed to exist between
23 two persons if both:

24 (1) have a common parent company;

25 (2) are linked by a franchise agreement, licensing agreement, or a
26 concession agreement;

27 (3) are part of a chain of businesses commonly owned and operated;

28 (4) share:

- 1 (i) directors, stockholders, partners, or members; or
- 2 (ii) directors, stockholders, partners, or members of parents or
- 3 subsidiaries;
- 4 (5) share, directly or indirectly, profit from the sale of alcoholic beverages;
- 5 or
- 6 (6) share a common trade name, trademark, logo, or theme, or mode of
- 7 operation identifiable by the public.

8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
9 1, 2016.