HOUSE BILL 1074

A2   EMERGENCY BILL   6lr0768

By: **Montgomery County Delegation**
Introduced and read first time: February 11, 2016
Assigned to: Economic Matters

A BILL ENTITLED

1   AN ACT concerning

2   **Montgomery County – Laytonsville – Alcoholic Beverages Licenses**

3   **MC 22–16**

4   FOR the purpose of authorizing the Board of License Commissioners for Montgomery
5   County to issue, renew, and transfer and otherwise provide a maximum of a certain
6   number of alcoholic beverages licenses for use in the town of Laytonsville under
7   certain conditions; specifying that the licenses may be any combination of certain
8   types of licenses; providing for the effective date of certain provisions of this Act;
9   making this Act an emergency measure; and generally relating to alcoholic
10   beverages licenses in Montgomery County.

11 BY repealing and reenacting, without amendments,
12   Article 2B – Alcoholic Beverages
13   Section 8–216(a)(2)(i)
14   Annotated Code of Maryland
15   (2011 Replacement Volume and 2015 Supplement)

16 BY repealing and reenacting, with amendments,
17   Article 2B – Alcoholic Beverages
18   Section 8–216(e)
19   Annotated Code of Maryland
20   (2011 Replacement Volume and 2015 Supplement)

21 BY repealing and reenacting, with amendments,
22   Article – Alcoholic Beverages
23   Section 25–1605
24   Annotated Code of Maryland
25   (As enacted by Chapter__(S.B.__)(6lr1406) of the Acts of the General Assembly of
26   2016)

EXPLANATION: **CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.**
    [Brackets] indicate matter deleted from existing law.

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

3   **Article 2B – Alcoholic Beverages**

4 8–216.

5   (a)   (2)   (i)   Except as provided in subparagraphs (ii), (iii), (iv), (v), and (vi)
6 of this paragraph and in subsections (d), (e), and (f) of this section, in Montgomery County,
7 a license for the sale of alcoholic beverages authorized by this article may not be issued for
8 any place of business located in Damascus (12th election district), and in the towns of
9 Barnesville, Kensington, Laytonsville, Washington Grove and the City of Takoma Park.

10   (e)   **(1)**   The Board of License Commissioners may issue, renew, and transfer
11 and otherwise provide a maximum of **[**2 Class B (on–sale) beer, wine, and liquor licenses**]**
12 **TWO LICENSES** for use in the town of Laytonsville provided that alcoholic beverages served
13 by a licensee may only be consumed by patrons while patrons are seated.

14   **(2)   THE LICENSES AUTHORIZED UNDER PARAGRAPH (1) OF THIS**
15 **SUBSECTION MAY BE ANY COMBINATION OF CLASS B (ON–SALE) BEER, WINE, AND**
16 **LIQUOR LICENSES AND CLASS H (ON–SALE) BEER AND LIGHT WINE, HOTEL AND**
17 **RESTAURANT LICENSES.**

18   SECTION 2. BE IT FURTHER ENACTED, That the Laws of Maryland read as
19 follows:

20   **Article – Alcoholic Beverages**

21 25–1605.

22   (a)   This section applies only to Laytonsville.

23   (b)   **(1)**   Subject to subsection (c) of this section, the Board may issue not more
24 than two **[**Class B (on–sale) beer, wine, and liquor**]** licenses.

25   **(2)   THE LICENSES AUTHORIZED UNDER PARAGRAPH (1) OF THIS**
26 **SUBSECTION MAY BE ANY COMBINATION OF CLASS B (ON–SALE) BEER, WINE, AND**
27 **LIQUOR LICENSES AND CLASS H (ON–SALE) BEER AND WINE, HOTEL AND**
28 **RESTAURANT LICENSES.**

29   (c)   A license may be issued, renewed, or transferred if alcoholic beverages served
30 by the license holder are consumed by customers while the customers are seated.

31   SECTION 3. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take
32 effect on the taking effect of Chapter ___(S.B.__)(6lr1406) of the Acts of the General

1 Assembly of 2016. If Section 2 of this Act takes effect, Section 1 of this Act shall be abrogated
2 and of no further force and effect.

3   SECTION 4. AND BE IT FURTHER ENACTED, That this Act is an emergency
4 measure, is necessary for the immediate preservation of the public health or safety, has
5 been passed by a yea and nay vote supported by three–fifths of all the members elected to
6 each of the two Houses of the General Assembly and, except as provided in Section 3 of this
7 Act, shall take effect from the date it is enacted.