

HOUSE BILL 1591

A2

6lr3787

By: **Delegate Branch**

Introduced and read first time: February 24, 2016

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Baltimore City – Alcoholic Beverages – License Applications**

3 FOR the purpose of requiring in Baltimore City that an alcoholic beverages license for a
4 partnership be applied for by, and issued to, at least a certain number of general
5 partners as individuals; requiring that at least one of the general partners who apply
6 meets certain qualifications; requiring the Board of License Commissioners for
7 Baltimore City to issue a license to a certain general partner under certain
8 circumstances; repealing a provision of law requiring an application for a license to
9 include a petition of support that is signed by at least a certain number of residents
10 who meet certain qualifications and that contains certain information; and generally
11 relating to applications for alcoholic beverages licenses in Baltimore City.

12 BY repealing and reenacting, without amendments,

13 Article – Alcoholic Beverages

14 Section 12–102

15 Annotated Code of Maryland

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

17 BY repealing and reenacting, with amendments,

18 Article – Alcoholic Beverages

19 Section 12–1401

20 Annotated Code of Maryland

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

22 BY adding to

23 Article – Alcoholic Beverages

24 Section 12–1401.1

25 Annotated Code of Maryland

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

27 BY repealing

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Article – Alcoholic Beverages
 2 Section 12–1405
 3 Annotated Code of Maryland
 4 (As enacted by Chapter ____ (S.B. 724) of the Acts of the General Assembly of 2016)

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

7 **Article – Alcoholic Beverages**

8 12–102.

9 This title applies only in Baltimore City.

10 12–1401.

11 (a) The following sections of Title 4, Subtitle 1 (“Applications for Local Licenses”)
 12 of Division I of this article apply in the City without exception or variation:

13 (1) § 4–102 (“Applications to be filed with local licensing board”);

14 (2) [§ 4–103 (“Application on behalf of partnership”);

15 (3)] § 4–104 (“Application on behalf of corporation or club”);

16 [(4)](3) § 4–106 (“Payment of notice expenses”);

17 [(5)](4) § 4–108 (“Application form required by Comptroller”);

18 [(6)](5) § 4–111 (“Payment of license fees”);

19 [(7)](6) § 4–112 (“Disposition of license fees”);

20 [(8)](7) § 4–113 (“Refund of license fees”); and

21 [(9)](8) § 4–114 (“Fees for licenses issued for less than 1 year”).

22 (b) [Section] **THE FOLLOWING SECTIONS OF TITLE 4, SUBTITLE 1**
 23 **(“APPLICATIONS FOR LOCAL LICENSES”) OF DIVISION I OF THIS ARTICLE DO NOT**
 24 **APPLY IN THE CITY:**

25 (1) § 4–103 (“APPLICATION ON BEHALF OF PARTNERSHIP”), WHICH
 26 IS SUPERSEDED BY § 12–1401.1 OF THIS SUBTITLE; AND

1 **(2)** § 4–110 (“Required information on application — Petition of support”)
2 [of Division I of this article does not apply in the City and is superseded by § 12–1405 of
3 this subtitle].

4 (c) The following sections of Title 4, Subtitle 1 (“Applications for Local Licenses”)
5 of Division I of this article apply in the City:

6 (1) § 4–105 (“Application on behalf of limited liability company”), subject to
7 § 12–1402 of this subtitle;

8 (2) § 4–107 (“Criminal history records check”), subject to § 12–1403 of this
9 subtitle; and

10 (3) § 4–109 (“Required information on application — In general”), subject
11 to § 12–1404 of this subtitle.

12 **12–1401.1.**

13 **(A) (1) SUBJECT TO SUBSECTION (B) OF THIS SECTION, A LICENSE FOR A**
14 **PARTNERSHIP SHALL BE APPLIED FOR BY, AND ISSUED TO, AT LEAST TWO GENERAL**
15 **PARTNERS AS INDIVIDUALS.**

16 **(2) WHEN AN APPLICATION IS FILED, AT LEAST ONE OF THE GENERAL**
17 **PARTNERS WHO APPLIES SHALL:**

18 **(I) RESIDE IN THE STATE; AND**

19 **(II) BE A REGISTERED VOTER IN THE STATE.**

20 **(B) IF A PARTNERSHIP HAS ONLY ONE GENERAL PARTNER, THE BOARD**
21 **SHALL ISSUE THE LICENSE TO THAT PARTNER AS AN INDIVIDUAL, PROVIDED THAT**
22 **THE PARTNER MEETS THE REQUIREMENTS OF SUBSECTION (A)(2) OF THIS SECTION.**

23 [12–1405.

24 The application shall include a petition signed by at least three residents who are
25 owners of real property and registered voters in the City stating that:

26 (1) the applicant:

27 (i) is personally known to the signers of the petition; and

28 (ii) has been a resident or taxpayer of the City for 2 years and a
29 resident of the State for 2 years preceding the presentation of the application to the signers
30 of the petition;

- 1 (2) if the applicant is a corporation, at least one of the applicants:
- 2 (i) is personally known to the signers of the petition;
- 3 (ii) has been a resident or taxpayer of the City for 2 years and a
4 resident of the State for 2 years preceding the presentation of the application to the signers
5 of the petition; and
- 6 (iii) is a registered voter in the State; and
- 7 (3) if the applicant is a partnership, all members of the partnership have
8 been residents or taxpayers of the City for 2 years and residents of the State for 2 years
9 preceding the presentation of the application to the signers of the petition.]

10 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
11 1, 2016.