

# SENATE BILL 1076

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6lr3443  
CF HB 1551

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By: **Washington County Senators**

Introduced and read first time: February 19, 2016

Assigned to: Rules

Re-referred to: Education, Health, and Environmental Affairs, February 25, 2016

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Committee Report: Favorable

Senate action: Adopted

Read second time: March 17, 2016

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

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

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

13 BY repealing and reenacting, without amendments,

14 Article – Alcoholic Beverages

15 Section 31-102

16 Annotated Code of Maryland

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

18 BY repealing and reenacting, with amendments,

19 Article – Alcoholic Beverages

20 Section 31-1601

21 Annotated Code of Maryland

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

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### EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



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

3 **Article – Alcoholic Beverages**

4 31–102.

5 This title applies only in Washington County.

6 31–1601.

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

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

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

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

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

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

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

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

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

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

26 (1) is located in a permanent building;

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

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

- 1 (i) 75 persons for a Class B (on- and off-sale) license; or  
2 (ii) 50 persons [for a Class B (on-sale) license]; and  
3 (4) has annual gross sales of food and nonalcoholic beverages that exceed  
4 its annual gross sales of alcoholic beverages.

5 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
6 1, 2016.

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.