

Chapter 238

(Senate Bill 1077)

AN ACT concerning

Washington County – Alcoholic Beverages – License Renewal Procedures

FOR the purpose of specifying the filing period for a renewal of an alcoholic beverages license in Washington County; requiring a license holder to file an application to renew an annual license and the required documents by a certain date; altering the penalty for late filing of an application for a license renewal; prohibiting the Washington County Board of License Commissioners from renewing a license until the license holder pays certain taxes by a certain date and submits a certain certificate to the Board; specifying certain content of a license renewal application; authorizing the Board to issue renewed licenses for the following year during a certain time period; 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 31–1801, 31–1802, and 31–1803

Annotated Code of Maryland

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

BY adding to

Article – Alcoholic Beverages

Section 31–1803.1 and 31–1803.2

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.

31-1801.

(a) The following sections of Title 4, Subtitle 4 (“Renewal of Local Licenses”) of Division I of this article apply in the County without exception or variation:

- (1) § 4-402 (“Eligibility for renewal; process”);
- (2) § 4-403 (“Renewal application”);
- (3) § 4-406 (“Protests”);
- (4) § 4-407 (“Denial of renewal application”);
- (5) [§ 4-408 (“Issuance of renewed licenses”);
- (6)] § 4-409 (“Multiple licenses”); and
- [(7)] **(6)** § 4-410 (“Chain store, supermarket, or discount house”).

(B) SECTION 4-404 (“FILING PERIOD FOR RENEWAL APPLICATION”) OF DIVISION I OF THIS ARTICLE DOES NOT APPLY IN THE COUNTY AND IS SUPERSEDED BY § 31-1802 OF THIS SUBTITLE.

[(b)] **(C)** The following sections of Title 4, Subtitle 4 (“Renewal of Local Licenses”) of Division I of this article apply in the County:

(1) [§ 4-404 (“Filing period for renewal application”), subject to § 31-1802 of this subtitle; and

(2)] § 4-405 (“Contents of renewal application”), subject to [§] §§ 31-1803 AND 31-1803.1 of this subtitle; AND

(2) § 4-408 (“ISSUANCE OF RENEWED LICENSES”), SUBJECT TO § 31-1803.2 OF THIS SUBTITLE.

31-1802.

(A) A RENEWAL APPLICATION SHALL BE AVAILABLE AT THE BEGINNING OF MARCH OF THE LICENSING CYCLE.

(B) AN APPLICATION AND THE REQUIRED DOCUMENTS TO RENEW AN ANNUAL LICENSE SHALL BE FILED BETWEEN APRIL 1 AND JUNE 15, INCLUSIVE.

(C) A license holder that files a completed application for license renewal[:

(1) between [April 2] **JUNE 16** and [April 11] **JUNE 30**, inclusive, is subject to a penalty of [\$100; or

(2) on or after April 12 is subject to a penalty of \$400] **\$50 FOR EACH DAY OF VIOLATION.**

31-1803.

The Board may not renew a license until the license holder, **BY JUNE 15:**

(1) pays all [County] **UNDISPUTED** taxes that are due under the license **TO THE COMPTROLLER, THE MUNICIPALITY, AND THE COUNTY; [and]**

(2) certifies by affidavit to the Board that no County taxes are due; **AND**

(3) **SUBMITS TO THE BOARD A CERTIFICATE OF GOOD STANDING FROM THE COMPTROLLER.**

31-1803.1.

TO BE APPROVED, A LICENSE RENEWAL APPLICATION SHALL:

(1) **CONTAIN ALL REQUIRED SIGNATURES THAT HAVE BEEN NOTARIZED; AND**

(2) **BE ACCOMPANIED BY:**

(I) **A TRADER'S LICENSE;**

(II) **A SALES AND USE LICENSE; AND**

(III) **FOR A CLASS B RESTAURANT:**

1. **A HEALTH DEPARTMENT PERMIT; AND**

2. **A STATEMENT OF THE AVERAGE MONTHLY SALES OF FOOD AND ALCOHOLIC BEVERAGES FOR THE LICENSED PREMISES DURING THE PREVIOUS LICENSE TERM.**

31-1803.2.

(A) **THE BOARD MAY ISSUE RENEWED LICENSES FOR THE FOLLOWING LICENSE YEAR BETWEEN JUNE 15 AND JULY 1, INCLUSIVE.**

(B) ALL RENEWED LICENSES SHALL BE DATED JULY 1.

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

Approved by the Governor, April 26, 2016.