

Chapter 315

(House Bill 1644)

AN ACT concerning

Baltimore County – Alcoholic Beverages – Racetrack License

FOR the purpose of ~~repealing the racetrack beer and wine license issued in Baltimore County; altering the fee for a racetrack beer, wine, and liquor license in the county;~~ authorizing the Board of License Commissioners for Baltimore County to transfer a Class B or Class D beer, wine, and liquor (on-sale) retail alcoholic beverages license in existence in Election District 15 to a certain location; prohibiting certain licenses from being transferred; requiring that the transferred license be converted into a certain other license; providing for certain restrictions, qualifications, and conditions with respect to the transferred license; prohibiting a license issued under this Act from being transferred to a location outside a certain area or converted into another class of license; requiring that the location for the license comply with all applicable zoning regulations; and generally relating to alcoholic beverages licenses in Baltimore County.

BY repealing and reenacting, without amendments,

Article – Alcoholic Beverages

Section 13-102

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,~~ adding to

Article – Alcoholic Beverages

Section ~~13-1001~~ 13-1709

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

13-102.

This title applies only in Baltimore County.

~~13-1001.~~

~~(a) There is:~~

~~(1) a racetrack beer and wine license; and~~

~~(2)] a racetrack beer, wine, and liquor license.~~

~~(b) (1) The Board may issue [a] THE license to the owner, concessionaire, or catering organization of a licensed racing establishment, whether an individual, an association, or a corporation.~~

~~(2) There are no residential or voting qualifications for the [licenses] LICENSE.~~

~~(c) [(1) The racetrack beer and wine license authorizes the license holder to sell beer and wine at one or more locations on the premises of the racing park of the license holder.~~

~~(2)] The [racetrack beer, wine, and liquor] license authorizes the license holder to sell beer, wine, and liquor at one or more locations on the premises of the racing park of the license holder.~~

~~(d) The license fee is:]~~

~~(1) for a racetrack beer and wine license, \$25 for each day that the racing park is open and operating; and~~

~~(2) for a racetrack beer, wine, and liquor license, \$50 for each day that the racing park is open and operating] \$1,000 FOR EACH CALENDAR YEAR.~~

13-1709.

(A) (1) NOTWITHSTANDING ANY LICENSE QUOTA LIMITATION ESTABLISHED BY THE BOARD AND IN ADDITION TO THE LICENSES AUTHORIZED FOR ISSUANCE IN THE COUNTY, THE BOARD MAY AUTHORIZE THE TRANSFER OF ONE CLASS B OR CLASS D BEER, WINE, AND LIQUOR LICENSE IN EXISTENCE IN ELECTION DISTRICT 15 ON JANUARY 15, 2016, AND VALID ON THE DATE OF TRANSFER, TO A LOCATION THAT IS:

(I) AT 2200 YORK ROAD AND SURROUNDING GROUNDS IN ELECTION DISTRICT 8; AND

(II) OWNED BY THE MARYLAND STATE FAIR AND AGRICULTURAL SOCIETY, INC.

(2) A LICENSE TRANSFERRED UNDER THIS SECTION:

(I) MAY NOT BE A LICENSE THAT IS PROHIBITED FROM BEING TRANSFERRED BY LAW OR BOARD REGULATION, OTHER THAN A PROHIBITION AGAINST CROSSING DISTRICT LINES;

(II) FOR DETERMINING THE TOTAL NUMBER OF LICENSES AVAILABLE IN ELECTION DISTRICT 8, SHALL BE CONSIDERED TO BE A REGULAR LICENSE AND NOT AN EXCEPTION TO THE POPULATION AND NUMERICAL LIMITATIONS SPECIFIED IN “RULE 19 – POPULATION AND NUMERICAL LIMITATIONS” OF THE RULES AND REGULATIONS OF THE BOARD;

(III) SHALL BE CONVERTED INTO A CLASS B (MSF)(ON-SALE) BEER, WINE, AND LIQUOR LICENSE; AND

(IV) AS OF THE DATE OF TRANSFER, MAY NOT BE COUNTED TOWARD ANY POPULATION LIMIT EXISTING IN ELECTION DISTRICT 15.

(B) THE ISSUANCE AND RENEWAL REQUIREMENTS, MINIMUM SQUARE FOOT AREA REQUIREMENT FOR FOOD AND BEVERAGE PREPARATION AND CONSUMPTION, AND HOURS AND DAYS OF SALE FOR THE CLASS B (MSF) LICENSE ARE THE SAME AS THOSE PROVIDED FOR A CLASS B BEER, WINE, AND LIQUOR (ON-SALE) HOTEL AND RESTAURANT LICENSE.

(C) (1) THE CLASS B (MSF) LICENSE MAY NOT BE:

(I) TRANSFERRED TO A LOCATION OUTSIDE THE AREA FOR WHICH THE LICENSE WAS ISSUED; OR

(II) CONVERTED INTO ANOTHER CLASS OF LICENSE.

(2) THE LOCATION FOR THE CLASS B (MSF) LICENSE SHALL COMPLY WITH ALL APPLICABLE ZONING REGULATIONS.

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

Approved by the Governor, April 26, 2016.