

SENATE BILL 559

A2

7lr3347
CF HB 436

By: **Senator Kasemeyer**

Introduced and read first time: February 1, 2017

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 7, 2017

CHAPTER _____

1 AN ACT concerning

2 **Baltimore County – Alcoholic Beverages – Issuance of Licenses Near Places of**
3 **Worship**

4 FOR the purpose of authorizing the Baltimore County Board of License Commissioners to
5 ~~issue or~~ transfer, convert, and issue a certain license for an establishment that is at
6 least a certain number of feet away from a place of worship under certain
7 circumstances and subject to certain restrictions and qualifications; making a certain
8 exception to a prohibition against issuing a license for an establishment that is
9 within 300 feet of a place of worship or school; and generally relating to alcoholic
10 beverages in Baltimore County.

11 BY repealing and reenacting, without amendments,
12 Article – Alcoholic Beverages
13 Section 13–102
14 Annotated Code of Maryland
15 (2016 Volume and 2016 Supplement)

16 BY repealing and reenacting, with amendments,
17 Article – Alcoholic Beverages
18 Section 13–1601
19 Annotated Code of Maryland
20 (2016 Volume and 2016 Supplement)

21 BY adding to
22 Article – Alcoholic Beverages

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 ~~(H) ZONED BL CCC AND IN COMPLIANCE WITH ANY~~
2 ~~APPLICABLE ZONING ORDINANCE;~~

3 ~~(HH) USED FOR ON PREMISES CONSUMPTION OF BEER, WINE,~~
4 ~~AND LIQUOR ONLY AS PART OF THE OPERATION OF A RESTAURANT AS DEFINED IN~~
5 ~~THE RULES OF THE BOARD;~~

6 ~~(IV) LOCATED IN THE ELECTION DISTRICT FOR WHICH THE~~
7 ~~LICENSE WAS ISSUED; AND~~

8 ~~(V) LOCATED AT LEAST 100 FEET FROM A PLACE OF WORSHIP.~~

9 ~~(C) (1) A LICENSE MAY NOT BE ISSUED FOR:~~

10 ~~(I) A LOCATION THAT HAS BEEN LICENSED UNDER ANY CLASS~~
11 ~~OF ON-SALE LICENSE WITHIN 2 YEARS PRECEDING THE DATE OF APPLICATION FOR~~
12 ~~THE LICENSE; OR~~

13 ~~(II) A RESTAURANT THAT ALLOWS SERVICE OF PURCHASED~~
14 ~~FOOD TO A CUSTOMER WHO IS NOT SEATED AT A TABLE.~~

15 ~~(2) A LICENSE MAY NOT BE CONVERTED TO ANY OTHER CLASS OF~~
16 ~~LICENSE.~~

17 ~~(D) THE QUALIFICATIONS FOR A LICENSE HOLDER, THE LICENSE FEES, AND~~
18 ~~THE HOURS AND DAYS OF SALE FOR A LICENSE EXEMPTED UNDER SUBSECTION~~
19 ~~(B)(6) OF THIS SECTION ARE THE SAME AS THOSE FOR A CLASS B BEER, WINE, AND~~
20 ~~LIQUOR (ON-SALE) HOTEL AND RESTAURANT LICENSE THE TRANSFER,~~
21 ~~CONVERSION, AND ISSUANCE OF A LICENSE UNDER § 13-1710 OF THIS TITLE.~~

22 13-1710.

23 (A) (1) IN ADDITION TO THE LICENSES AUTHORIZED FOR ISSUANCE IN
24 THE COUNTY, THE BOARD MAY AUTHORIZE THE TRANSFER TO AN ESTABLISHMENT
25 SPECIFIED IN SUBSECTION (C) OF THIS SECTION OF A CLASS B BEER, WINE, AND
26 LIQUOR LICENSE OR A CLASS D BEER, WINE, AND LIQUOR LICENSE THAT:

27 (I) WAS ISSUED ON OR BEFORE DECEMBER 31, 2016;

28 (II) WAS IN EXISTENCE IN THE SAME ELECTION DISTRICT OF
29 THE COUNTY AS THE PROPOSED LICENSED PREMISES ON DECEMBER 31, 2016; AND

30 (III) IS VALID ON THE DATE OF TRANSFER.

1 **(2) TO BE TRANSFERRED UNDER THIS SECTION, A LICENSE MAY NOT**
2 **BE A LICENSE THAT IS PROHIBITED FROM BEING TRANSFERRED BY STATUTE OR**
3 **REGULATION.**

4 **(3) ON THE DATE OF TRANSFER, A LICENSE SHALL BE CONVERTED**
5 **INTO A CLASS B BEER, WINE, AND LIQUOR (ON-SALE) SERVICE BAR COMMERCIAL**
6 **REVITALIZATION DISTRICT LICENSE (B-SB-CRD LICENSE).**

7 **(B) THE QUALIFICATIONS FOR A LICENSE HOLDER, THE FEE, AND THE**
8 **HOURS AND DAYS OF SALE FOR A SERVICE BAR LICENSE ARE THE SAME AS THOSE**
9 **FOR A CLASS B BEER, WINE, AND LIQUOR (ON-SALE) HOTEL AND RESTAURANT**
10 **LICENSE.**

11 **(C) (1) A B-SB-CRD LICENSE MAY BE ISSUED ONLY FOR A PREMISES**
12 **THAT IS:**

13 **(I) IN A FREE-STANDING BUILDING WITH ITS OWN PARKING**
14 **LOT;**

15 **(II) ZONED BL-CCC AND IN COMPLIANCE WITH ANY**
16 **APPLICABLE ZONING ORDINANCE; AND**

17 **(III) AT LEAST 100 FEET FROM A PLACE OF WORSHIP.**

18 **(2) A B-SB-CRD LICENSE SHALL BE USED IN CONJUNCTION WITH**
19 **THE OPERATION OF A RESTAURANT, AS DEFINED IN THIS ARTICLE AND IN THE**
20 **REGULATIONS OF THE BOARD.**

21 **(3) THE HOURS DURING WHICH THE PRIVILEGES CONFERRED BY THE**
22 **LICENSE MAY BE EXERCISED MAY NOT EXCEED THE HOURS DURING WHICH FOOD IS**
23 **OFFERED FOR SALE.**

24 **(4) THE B-SB-CRD LICENSE SHALL BE USED TO ALLOW THE SALE**
25 **AND SERVICE OF ALCOHOLIC BEVERAGES TO PATRONS ONLY AS PART OF A MEAL AT**
26 **A DINING TABLE.**

27 **(5) THE LICENSED PREMISES MAY NOT HAVE A SEPARATE BAR AREA**
28 **FOR SERVICE OF ALCOHOLIC BEVERAGES.**

29 **(6) THE B-SB-CRD LICENSE HOLDER MAY NOT SELL BEER, WINE,**
30 **AND LIQUOR FOR OFF-PREMISES CONSUMPTION.**

31 **(D) A B-SB-CRD BAR LICENSE ISSUED UNDER THIS SECTION MAY NOT BE**
32 **CONVERTED INTO ANY OTHER CLASS OF LICENSE.**

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
2 1, 2017.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.