### **SENATE BILL 1171**

### By: Harford County Senators

Introduced and read first time: March 3, 2017 Assigned to: Rules Re–referred to: Education, Health, and Environmental Affairs, March 10, 2017

Committee Report: Favorable Senate action: Adopted Read second time: March 17, 2017

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

### 1 AN ACT concerning

## Harford County - Alcoholic Beverages - Waiver From School Distance Restrictions

# FOR the purpose of altering the circumstances under which the Board of License Commissioners for Harford County may issue a waiver from certain school distance restrictions for certain alcoholic beverages licenses; and generally relating to alcoholic beverages in Harford County.

- 8 BY repealing and reenacting, without amendments,
- 9 Article Alcoholic Beverages
- 10 Section 22–102
- 11 Annotated Code of Maryland
- 12 (2016 Volume and 2016 Supplement)
- 13 BY repealing and reenacting, with amendments,
- 14 Article Alcoholic Beverages
- 15 Section 22–1602
- 16 Annotated Code of Maryland
- 17 (2016 Volume and 2016 Supplement)
- 18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
- 19 That the Laws of Maryland read as follows:
- 20

### Article – Alcoholic Beverages

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

[Brackets] indicate matter deleted from existing law.

<u>Underlining</u> indicates amendments to bill.

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



1	22–102.		
2	This title applies only in Harford County.		
3	22-1602.		
4	(a) This section does not apply to:		
$5 \\ 6$	(1) a license in effect on July 1, 1975, or the issuance or transfer of a Class B (on–sale) beer, wine, and liquor license for use on any premises licensed on July 1, 1975;		
7	(2)	a lice	nse in effect on July 1, 1977;
8 9	(3) the renewal, transfer, or upgrading of a license, unless the license is transferred to a new location; and		
10	(4)	the is	suance of:
$\begin{array}{c} 11 \\ 12 \end{array}$	worship or school;	(i)	a 1-day license that is to be used on the premises of a place of
13		(ii)	a Class GC (golf course) license; and
14		(iii)	a Class CCFA (continuing care facility) license.
$\begin{array}{c} 15\\ 16 \end{array}$	(b) (1) may not issue a lic	(i) ense fo	Except as provided in paragraph (2) of this subsection, the Board or an establishment that is within 300 feet of a place of worship.
17 18 19	(ii) The distance from the establishment to the place of worship is to be measured from the nearest point of the building of the establishment to the nearest point of the building of the place of worship.		
20	(2)	Para	graph (1) of this subsection does not apply to the issuance of:
21		(i)	a 1–day license for use in a building;
$\begin{array}{c} 22\\ 23 \end{array}$	a municipality; an	(ii) d	a license issued to a hotel, motel, restaurant, club, or caterer in
$\begin{array}{c} 24 \\ 25 \end{array}$	use in a banquet fa	(iii) acility	a Class H beer, wine, and liquor license issued to a caterer for in an establishment if:
$\begin{array}{c} 26 \\ 27 \end{array}$	July 1, 1991; and		1. the construction of the establishment was completed after

#### SENATE BILL 1171

2.

the establishment is used for emergency operations by a

Except as provided in paragraph (2) of this subsection, the Board

1

 $\mathbf{2}$ 

3

4

 $\mathbf{5}$ 

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

volunteer fire company.

(1)

(i)

(c)

may not issue a license to a business establishment that is within 1,000 feet of a public or private school building. The distance from the establishment to the public or private (ii) school is to be measured from the nearest point of the building of the establishment to the nearest point of the building of the school. The Board may issue a license to a business establishment in Harford (2)County and in a municipality in Harford County if the business establishment is not located within 300 feet of a public or private school. A decision of the County Board of Education to locate a public school (3)building within 1,000 feet of the premises of a license holder may not be the basis to revoke or deny the renewal, transfer, or upgrading of the license. (d) The Board may waive the distance restrictions from a public or private school building and issue a Class B (on-sale) restaurant license if: the restaurant is located in a community shopping center that contains: (1)(i) six or more retail uses; six or more retail and service uses; or (ii) a gross floor area of more than 20,000 square feet; [and] (iii) THE RESTAURANT IS LOCATED ON A PARCEL OF LAND THAT FACES (2)ONE OR MORE STATE HIGHWAYS ON TWO SIDES; AND (3) the Board takes into account comments received from parents whose children attend the public or private school. SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2017.