

HB0178/253394/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 178

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “allowing” in line 5 down through the semicolon in line 6; in line 8, strike the first comma and substitute “or”; in the same line, strike “, or drugstore”; in line 9, strike the first comma and substitute “or”; in the same line, strike “, or drugstore”; strike beginning with “repealing” in line 11 down through the semicolon in line 12; in line 13, after the semicolon insert “altering the number of Board member votes required to issue a culinary school beer and wine license from a unanimous vote to a majority vote;”; in line 15, strike “certain restrictions” and substitute “a certain restriction”; in line 16, strike “and a Class D license” and substitute “having to do with gross receipts”; and strike beginning with “altering” in line 20 down through the semicolon in line 21.

On page 2, in line 1, after “25–102” insert “, 25–902(a), and 25–2005(a) and (b)”; in line 6, strike “25–601,”; in the same line, strike “25–604,”; in the same line, strike “25–802,”; in the same line, strike “25–902” and substitute “25–902(b)”; in line 7, after “25–904,” insert “25–1004, 25–1008,”; in the same line, after “25–1409,” insert “25–1609,”; in the same line, after “25–2005” insert “(c), (d), (e), (g), and (h)”; in line 8, strike “25–2705,”; in line 13, strike “25–1609,”; and in the same line, strike the second comma.

AMENDMENT NO. 2

On page 2, in line 22, after “(d)” insert:

“(1) (I) IN THIS SUBSECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(Over)

(II) “BEER” INCLUDES DRAFT BEER IN REFILLABLE AND NONREFILLABLE CONTAINERS.

(III) “WINE” INCLUDES WINE IN REFILLABLE CONTAINERS.

(2)”.

On page 2, strike beginning with “(1)” in line 23 down through “(2)” in line 27 and substitute “**(I)**”; in line 28, strike “(i)” and substitute “**1.**”; in line 29, strike the brackets; strike beginning with the colon in line 29 down through “**1.**” in line 30; and in line 30, strike the brackets.

On pages 2 and 3, strike beginning with the third comma in line 30 on page 2 down through “**DRINKS**” in line 1 on page 3.

On page 3, in lines 2, 3, 4, and 6, strike “(ii)”, “(iii)”, “(iv)”, and “**(3)**”, respectively, and substitute “**2.**”, “**3.**”, “**4.**”, and “**(II)**”, respectively; in line 6, strike the second set of brackets; strike in their entirety lines 7 through 22, inclusive; in line 25, strike the brackets; in the same line, strike “**THE**”; and in line 28, strike the bracket.

On page 4 in lines 1, 2, 4, and 4 and 5 and on page 6 in line 6, in each instance, strike “bowling alley, billiard hall, or”.

On page 4, in line 5, strike the bracket; strike in their entirety lines 7 through 19, inclusive; in line 22, strike “**PARAGRAPH**” and substitute “**PARAGRAPHS**”; in the same line, after “**(2)**” insert “**AND (3)**”; and in line 25, strike the bracket.

On page 5, strike beginning with “A” in line 1 down through the bracket in line 3; and strike in their entirety lines 13 through 30, inclusive.

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On page 6, in lines 5 and 10, in each instance, strike the bracket; in line 6, strike the third comma; and in line 7, strike “the establishment” and substitute “A DRUGSTORE”.

On pages 6 and 7, strike in their entirety the lines beginning with line 25 on page 6 through line 17 on page 7, inclusive.

On page 8, after line 6, insert:

“25–1004.

(a) There is a BWL Community Performing Arts Facility license.

(b) (1) The Board may issue the license for use by a nonprofit partnership, limited liability company, corporation, or other entity that owns or leases a performing arts facility that:

(i) is used for art classes, banquets, community-related activities, exhibits, live performances, shows, theater productions, visual art shows, and weddings; and

(ii) has:

1. a minimum capacity of 200 individuals; and

2. a maximum capacity of 1,499 individuals.

(2) The Board may not issue more than three licenses to a nonprofit partnership, limited liability company, corporation, or other entity that owns or leases performing arts facilities in separate locations.

(Over)

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(c) (1) The license authorizes the license holder to sell beer, wine, and liquor by the drink from one or more outlets on the licensed premises for on-premises consumption.

(2) The Board may impose conditions on the issuance or renewal of the license that establish the areas in the community performing arts facility where beer, wine, and liquor may be sold, served, possessed, or consumed.

(3) The license holder shall ensure that food is provided during the hours beer, wine, and liquor are sold, served, possessed, or consumed.

(d) (1) The holder of a Class B-BWLHR license with catering authority, a local caterer's license, or a State caterer's license may bring alcoholic beverages and food on the licensed premises under the terms of a contract with a holder of a BWL Community Performing Arts Facility license.

(2) A violation of this title that occurs when a caterer brings alcoholic beverages on licensed premises as provided under paragraph (1) of this subsection is the responsibility of the caterer and is not the responsibility of the license holder.

(e) The license holder may sell beer, wine, and liquor from [10 a.m.] 9 A.M. on any day of the week to 2 a.m. the following day.

(f) The license may not be transferred to another location.

(g) The annual license fee is \$750.

25-1008.

(a) There is a culinary school beer and wine license.

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(b) The Board, by [unanimous] MAJORITY vote, may issue the license for use on the premises of a private culinary educational institution that:

- (1) is accredited by a nationally recognized accrediting association;
- (2) is approved by the State Higher Education Commission; and
- (3) holds a private educational institution license issued by the county.

(c) (1) The license authorizes the license holder to:

(i) allow the consumption of wine by individuals who are at least 21 years old and registered in a wine tasting course offered by the license holder; and

(ii) allow the consumption of beer and wine by individuals who are at least 21 years old and registered in a culinary or confectionary course offered by the license holder.

(2) An individual may consume beer or wine under the license on the licensed premises.

(d) A license holder may conduct the activities specified in subsection (b) of this section:

(1) from Monday through Thursday, from 9 a.m. to 1 a.m. the following day;

(2) on Friday and Saturday, from 9 a.m. to 2 a.m. the following day; and

(3) on Sunday, from 10 a.m. to 1 a.m. the following day.

(Over)

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(e) The license holder shall provide food during the hours that alcoholic beverages are served.

(f) A license holder may not simultaneously hold a different type of license issued under this article.

(g) The annual license fee is \$400.”;

and in line 16, strike the bracket.

On page 9, strike beginning with “If” in line 1 down through “(c)” in line 4; and in line 8, strike the bracket.

On page 13, strike in their entirety lines 22 through 27, inclusive; and in line 28, strike “(g)” and substitute “**(F)**”.

On page 14, in line 5, strike “(h)” and substitute “**(G)**”; and strike in their entirety lines 8 through 20, inclusive.

On pages 14 and 15, strike in their entirety the lines beginning with line 25 on page 14 through line 9 on page 15, inclusive.