

HOUSE BILL 151

A2

EMERGENCY BILL

8lr1390
CF SB 118

By: **Delegate Clippinger**

Introduced and read first time: January 17, 2018

Assigned to: Economic Matters

Committee Report: Favorable

House action: Adopted

Read second time: March 7, 2018

CHAPTER _____

1 AN ACT concerning

2 **Baltimore City – Alcoholic Beverages – License Transfers**

3 FOR the purpose of authorizing the transfer of certain alcoholic beverages licenses from
4 certain areas in Baltimore City to other areas in Baltimore City; specifying that a
5 certain license is considered unexpired until a certain date for a certain purpose;
6 specifying that, unless transferred to another location, a certain license expires not
7 later than a certain date; making this Act an emergency measure; and generally
8 relating to alcoholic beverages licenses issued in Baltimore City.

9 BY repealing and reenacting, without amendments,
10 Article – Alcoholic Beverages
11 Section 12–102
12 Annotated Code of Maryland
13 (2016 Volume and 2017 Supplement)

14 BY repealing and reenacting, with amendments,
15 Article – Alcoholic Beverages
16 Section 12–1706(b)
17 Annotated Code of Maryland
18 (2016 Volume and 2017 Supplement)

19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
20 That the Laws of Maryland read as follows:

21 **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 12-102.

2 This title applies only in Baltimore City.

3 12-1706.

4 (b) (1) Except as provided in paragraphs (2) [and], (3), AND (4) of this
5 subsection, the Board may not transfer a license into:

6 (i) ward 1, precincts 4 and 5;

7 (ii) ward 23, precinct 1; or

8 (iii) ward 24, precinct 5.

9 (2) The Board may allow the transfer of one Class D license into the
10 residential planned unit development for Silo Point located in ward 24, precinct 5 that was
11 enacted by the Mayor and City Council of Baltimore City in Ordinance 04-697 on June 23,
12 2004, if the Class D license holder operates the establishment in accordance with the
13 provisions of Ordinance 04-697.

14 (3) **THE BOARD MAY ALLOW THE TRANSFER OF:**

15 (I) **A CLASS B-D-7 BEER, WINE, AND LIQUOR LICENSE FROM**
16 **AN AREA IN WARD 1, PRECINCT 4 BOUNDED ON THE NORTH BY ELLIOTT STREET, ON**
17 **THE WEST BY SOUTH ROBINSON STREET, ON THE SOUTH BY TOONE STREET, AND**
18 **ON THE EAST BY SOUTHEAST AVENUE INTO AN AREA IN WARD 1, PRECINCT 5**
19 **BOUNDED ON THE NORTH BY FAIT AVENUE, ON THE WEST BY SOUTH KENWOOD**
20 **AVENUE, ON THE SOUTH BY HUDSON STREET, AND ON THE EAST BY SOUTH**
21 **STREEPER STREET; AND**

22 (II) **A CLASS D BEER, WINE, AND LIQUOR LICENSE FROM AN**
23 **AREA IN WARD 1, PRECINCT 5 BOUNDED ON THE NORTH BY FAIT AVENUE, ON THE**
24 **WEST BY SOUTH KENWOOD AVENUE, ON THE SOUTH BY HUDSON STREET, AND ON**
25 **THE EAST BY SOUTH STREEPER STREET INTO AN AREA IN WARD 1, PRECINCT 4**
26 **BOUNDED ON THE NORTH BY ELLIOTT STREET, ON THE WEST BY SOUTH ROBINSON**
27 **STREET, ON THE SOUTH BY TOONE STREET, AND ON THE EAST BY SOUTHEAST**
28 **AVENUE.**

29 (4) (i) The Board may allow the transfer of not more than two Class B
30 beer, wine, and liquor licenses, so that the cumulative number of licenses issued or
31 transferred is two, into the area of 829 through 919 E. Fort Avenue only if:

32 1. the Board has executed a memorandum of understanding

1 between the community associations in Riverside and Locust Point regarding the nature of
2 the proposed establishment; and

3 2. the Board enforces the memorandum of understanding
4 against any license holder that obtains a license under § 12–1604 of this title and seeks to
5 transfer the license.

6 (ii) The Board may not allow a license to be transferred out of the
7 area described in subparagraph (i) of this paragraph and into any other area of ward 24,
8 precinct 5.

9 SECTION 2. AND BE IT FURTHER ENACTED, That, a Class D (7–day) beer and
10 light wine license issued for a premises in the 600 block of South Montford Avenue in ward
11 1, precinct 3:

12 (1) shall be considered to be unexpired until the end of July 1, 2019, for
13 purposes of being transferred to another owner and location, notwithstanding
14 § 12–1706(d)(1)(i) of the Alcoholic Beverages Article; and

15 (2) if not transferred to another owner and location by the end of July 1,
16 2019, shall be considered to have expired.

17 SECTION 3. AND BE IT FURTHER ENACTED, That this Act is an emergency
18 measure, is necessary for the immediate preservation of the public health or safety, has
19 been passed by a yea and nay vote supported by three–fifths of all the members elected to
20 each of the two Houses of the General Assembly, and shall take effect from the date it is
21 enacted.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.