

HOUSE BILL 901

A2

8lr2128

By: ~~Delegate Reilly~~ **Harford County Delegation**

Introduced and read first time: February 5, 2018

Assigned to: Economic Matters

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 7, 2018

CHAPTER _____

1 AN ACT concerning

2 **Harford County – Alcoholic Beverages – Applications for Licenses and Transfers**

3 FOR the purpose of altering the ownership requirements for certain applicants for certain
4 alcoholic beverages licenses in Harford County; altering the ownership requirements
5 for certain applicants for the transfer of certain alcoholic beverages licenses in
6 Harford County; and generally relating to alcoholic beverages licenses in Harford
7 County.

8 BY repealing and reenacting, without amendments,

9 Article – Alcoholic Beverages

10 Section 22–102 and 22–1405(a)(1) and (2)

11 Annotated Code of Maryland

12 (2016 Volume and 2017 Supplement)

13 BY repealing and reenacting, with amendments,

14 Article – Alcoholic Beverages

15 Section 22–1405(a)(4) and 22–1703(b)

16 Annotated Code of Maryland

17 (2016 Volume and 2017 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.

Underlining 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 22-1405.

4 (a) (1) A license for the use of a corporation, an unincorporated entity, or a
5 limited liability company shall be applied for by and issued to, as individuals:

6 (i) three officers holding a financial interest in the corporation; or

7 (ii) three authorized persons holding a financial interest in the
8 limited liability company.

9 (2) One of the three individual applicants who apply for a license shall be
10 a resident of the county.

11 (4) For a license issued after July 1, 1984, the resident applicant ~~shall~~:

12 (i) 1. [except for an applicant for a Class B] **FOR A CLASS A**
13 **BEER AND WINE LICENSE OR A CLASS A-1 OR CLASS A-2** beer, wine, and liquor license,
14 **SHALL** own at least 25% of the total corporation, unincorporated entity, or limited liability
15 company; ~~or~~

16 2. [if an applicant for a Class B beer, wine, and liquor] **FOR**
17 **ANY TYPE OF LICENSE OTHER THAN ONE SPECIFIED IN ITEM 1 OR 3 OF THIS ITEM ~~OR~~**
18 **~~A CLASS C 1, CLASS C 2, OR CLASS C 3~~ license, SHALL** own at least 10% of the total
19 corporation, unincorporated entity, or limited liability company; **OR**

20 **3. FOR A CLASS C-1, CLASS C-2, OR CLASS C-3**
21 **LICENSE, MAY OWN ANY AMOUNT OR NO AMOUNT OF THE TOTAL CORPORATION,**
22 **UNINCORPORATED ENTITY, OR LIMITED LIABILITY COMPANY;**

23 (ii) **SHALL** serve as manager or supervisor; and

24 (iii) **SHALL** be physically present on the premises for a substantial
25 amount of time on a daily basis.

26 22-1703.

27 (b) (1) This subsection applies to the resident applicant of a licensed
28 establishment for which a license was transferred after July 1, 1984, on behalf of a
29 corporation, an unincorporated entity, or a limited liability company.

30 (2) The resident applicant ~~shall~~:

1 (i) 1. [unless] IF the transferred license is a [Class B beer, wine,
2 and liquor license as provided in item 2 of this item,] **CLASS A BEER AND WINE LICENSE**
3 **OR A CLASS A-1 OR CLASS A-2 BEER, WINE, AND LIQUOR LICENSE, SHALL** own at
4 least 25% of the total corporation, unincorporated entity, or limited liability company; ~~or~~

5 2. if the transferred license is [a Class B beer, wine, and
6 liquor] **ANY TYPE OF LICENSE OTHER THAN ONE SPECIFIED IN ITEM 1 OR 3 OF THIS**
7 **ITEM ~~OR A CLASS C-1, CLASS C-2, OR CLASS C-3~~ license, SHALL** own at least 10% of
8 the total business; **OR**

9 **3. FOR A CLASS C-1, CLASS C-2, OR CLASS C-3**
10 **LICENSE, MAY OWN ANY AMOUNT OR NO AMOUNT OF THE TOTAL CORPORATION,**
11 **UNINCORPORATED ENTITY, OR LIMITED LIABILITY COMPANY;**

12 (ii) **SHALL** serve as manager or supervisor; and

13 (iii) **SHALL** be physically present on the premises a substantial
14 amount of time on a daily basis.

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
16 1, 2018.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.