

HOUSE BILL 901

A2

8lr2128

By: **Delegate Reilly**

Introduced and read first time: February 5, 2018

Assigned to: Economic Matters

A BILL ENTITLED

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**

21 22–102.

22 This title applies only in Harford County.

23 22–1405.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

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

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

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

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

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

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

17 (ii) serve as manager or supervisor; and

18 (iii) be physically present on the premises for a substantial amount
19 of time on a daily basis.

20 22-1703.

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

24 (2) The resident applicant shall:

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

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

1 (ii) serve as manager or supervisor; and

2 (iii) be physically present on the premises a substantial amount of
3 time on a daily basis.

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
5 1, 2018.