

HOUSE BILL 1325

A2

8lr1062

By: **Howard County Delegation**

Introduced and read first time: February 9, 2018

Assigned to: Economic Matters

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 10, 2018

CHAPTER _____

1 AN ACT concerning

2 **Howard County – Alcoholic Beverages – Class C License and Class C and Class**
3 **D Per Diem Entertainment Venue ~~License~~ Licenses**

4 **Ho. Co. 20–18**

5 FOR the purpose of establishing a 7-day Class C beer, wine, and liquor license in Howard
6 County; specifying that the license authorizes the license holder to sell beer, wine,
7 and liquor at retail for on-premises consumption at the place described in the license
8 ~~and for off-premises sale and consumption under certain circumstances; authorizing~~
9 ~~beer, wine, or liquor purchased on an adjacent licensed premises to be consumed on~~
10 ~~the premises for which the Class C beer, wine, and liquor license is issued; providing~~
11 ~~for the hours of sale~~; requiring the Board of License Commissioners to determine the
12 annual license fee; establishing Class C and Class D per diem entertainment venue
13 beer, wine, and liquor licenses; specifying that the Class C and Class D per diem
14 entertainment venue beer, wine, and liquor licenses authorize the license holder to
15 sell beer, wine, and liquor on an immediately adjacent licensed premises for
16 consumption on the premises of the holder of the per diem license and on the adjacent
17 licensed premises; requiring license holders to be responsible for certain sale and
18 consumption and certain laws and regulations; requiring the property owner of the
19 adjacent licensed premises to provide the Board with a statement authorizing the
20 use of a licensed premises; requiring the Board to determine the per diem license fee;
21 defining a certain term; providing for an abnormal effective date; and generally
22 relating to alcoholic beverages in Howard County.

23 BY repealing and reenacting, without amendments,

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 Article – Alcoholic Beverages
 2 Section 23–102
 3 Annotated Code of Maryland
 4 (2016 Volume and 2017 Supplement)

5 BY adding to
 6 Article – Alcoholic Beverages
 7 Section 23–904, 23–1313, and 23–1314
 8 Annotated Code of Maryland
 9 (2016 Volume and 2017 Supplement)

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

12 **Article – Alcoholic Beverages**

13 23–102.

14 This title applies only in Howard County.

15 **23–904.**

16 (A) **THERE IS A 7-DAY CLASS C BEER, WINE, AND LIQUOR LICENSE.**

17 (B) ~~(1)~~ **THE LICENSE AUTHORIZES THE LICENSE HOLDER TO SELL BEER,**
 18 **WINE, AND LIQUOR AT RETAIL:**

19 ~~(1)~~ **FOR ON-PREMISES CONSUMPTION AT THE PLACE**
 20 **DESCRIBED IN THE LICENSE; AND**

21 ~~(H)~~ **FOR OFF-PREMISES SALE AND CONSUMPTION ONLY ON AN**
 22 **ADJACENT LICENSED PREMISES THAT IS AT LEAST 200,000 SQUARE FEET IN SIZE, IF**
 23 **THE PROPERTY OWNER OF THE ADJACENT LICENSED PREMISES HAS PROVIDED**
 24 **WRITTEN AUTHORIZATION TO THE BOARD.**

25 ~~(2)~~ ~~(1)~~ **EXCEPT AS PROVIDED IN SUBPARAGRAPH (H), BEER, WINE,**
 26 **OR LIQUOR PURCHASED ON AN ADJACENT LICENSED PREMISES MAY BE CONSUMED**
 27 **ON THE PREMISES FOR WHICH THE CLASS C BEER, WINE, AND LIQUOR LICENSE IS**
 28 **ISSUED.**

29 ~~(H)~~ **BEER, WINE, OR LIQUOR PURCHASED ON AN ADJACENT**
 30 **LICENSED PREMISES MAY NOT BE CONSUMED IF THE PROPERTY OWNER OF THE**
 31 **ADJACENT LICENSED PREMISES IS HOSTING A PUBLIC EVENT:**

32 ~~1.~~ **AT THE SAME TIME AS THE LICENSE HOLDER; AND**

1 ~~2. IN CLOSE PROXIMITY TO THE LOCATION IN WHICH~~
2 ~~BEER, WINE, OR LIQUOR WILL BE SOLD BY THE LICENSE HOLDER AND CONSUMED.~~

3 ~~(C) THE LICENSE HOLDER MAY SELL BEER, WINE, AND LIQUOR MONDAY~~
4 ~~THROUGH SUNDAY FROM 10 A.M. TO 11 P.M.~~

5 ~~(D)~~ (C) THE BOARD SHALL DETERMINE THE ANNUAL LICENSE FEE.

6 23-1313.

7 (A) IN THIS SECTION, "ENTERTAINMENT VENUE" MEANS A FACILITY THAT
8 IS USED AS A CINEMA, THEATER, AMPHITHEATER, CONCERT HALL, OR SPORTS
9 STADIUM.

10 (B) THERE IS A CLASS C PER DIEM ENTERTAINMENT VENUE BEER, WINE,
11 AND LIQUOR LICENSE.

12 (C) THE BOARD MAY ISSUE THE CLASS C PER DIEM LICENSE TO THE
13 HOLDER OF A CLASS C BEER, WINE, AND LIQUOR LICENSE FOR USE IN AN
14 ENTERTAINMENT VENUE THAT MEASURES AT LEAST 200,000 SQUARE FEET.

15 (D) (1) THE CLASS C PER DIEM LICENSE AUTHORIZES THE LICENSE
16 HOLDER TO SELL BEER, WINE, AND LIQUOR ON AN IMMEDIATELY ADJACENT
17 LICENSED PREMISES FOR CONSUMPTION ON THE PREMISES OF THE HOLDER OF THE
18 PER DIEM LICENSE AND ON THE ADJACENT LICENSED PREMISES.

19 (2) LICENSE HOLDERS ARE RESPONSIBLE FOR:

20 (I) ALL SALE AND CONSUMPTION UNDER THEIR CONTROL OR
21 ON THEIR PREMISES; AND

22 (II) COMPLIANCE WITH ALL APPLICABLE PROVISIONS OF THIS
23 ARTICLE AND LOCAL LAWS AND REGULATIONS.

24 (E) THE BOARD MAY NOT ISSUE THE PER DIEM LICENSE ~~TO SELL BEER,~~
25 ~~WINE, AND LIQUOR ON AN IMMEDIATELY ADJACENT LICENSED PREMISES FOR~~
26 ~~CONSUMPTION ON THE PREMISES~~ UNLESS THE PROPERTY OWNER OF THE
27 ADJACENT LICENSED PREMISES PROVIDES THE BOARD WITH A STATEMENT
28 AUTHORIZING THE USE OF THE LICENSED PREMISES.

29 (F) THE LICENSE HOLDER MAY SELL BEER, WINE, AND LIQUOR MONDAY
30 THROUGH SUNDAY FROM 10 A.M. TO 11 P.M.

1 (G) THE BOARD SHALL DETERMINE THE LICENSE FEE.

2 23-1314.

3 (A) IN THIS SECTION, "ENTERTAINMENT VENUE" MEANS A FACILITY THAT
4 IS USED AS A CINEMA, THEATER, AMPHITHEATER, CONCERT HALL, OR SPORTS
5 STADIUM.

6 (B) THERE IS A CLASS D PER DIEM ENTERTAINMENT VENUE BEER, WINE,
7 AND LIQUOR LICENSE.

8 (C) THE BOARD MAY ISSUE THE CLASS D PER DIEM LICENSE TO THE
9 HOLDER OF A CLASS D BEER, WINE, AND LIQUOR LICENSE FOR USE IN AN
10 ENTERTAINMENT VENUE THAT MEASURES AT LEAST 200,000 SQUARE FEET.

11 (D) (1) THE CLASS D PER DIEM LICENSE AUTHORIZES THE LICENSE
12 HOLDER TO SELL BEER, WINE, AND LIQUOR ON AN IMMEDIATELY ADJACENT
13 LICENSED PREMISES FOR CONSUMPTION ON THE PREMISES OF THE HOLDER OF THE
14 PER DIEM LICENSE AND ON THE ADJACENT LICENSED PREMISES.

15 (2) LICENSE HOLDERS ARE RESPONSIBLE FOR:

16 (I) ALL SALE AND CONSUMPTION UNDER THEIR CONTROL OR
17 ON THEIR PREMISES; AND

18 (II) COMPLIANCE WITH ALL APPLICABLE PROVISIONS OF THIS
19 ARTICLE AND LOCAL LAWS AND REGULATIONS.

20 (E) THE BOARD MAY NOT ISSUE THE PER DIEM LICENSE ~~TO SELL BEER,~~
21 ~~WINE, AND LIQUOR ON AN IMMEDIATELY ADJACENT LICENSED PREMISES FOR~~
22 ~~CONSUMPTION ON THE PREMISES~~ UNLESS THE PROPERTY OWNER OF THE
23 ADJACENT LICENSED PREMISES PROVIDES THE BOARD WITH A STATEMENT
24 AUTHORIZING THE USE OF THE LICENSED PREMISES.

25 (F) THE LICENSE HOLDER MAY SELL BEER, WINE, AND LIQUOR MONDAY
26 THROUGH SUNDAY FROM 10 A.M. TO 11 P.M.

27 (G) THE BOARD SHALL DETERMINE THE LICENSE FEE.

28 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect ~~July~~
29 ~~4~~ April 10, 2018.