

Chapter 761

(House Bill 1393)

AN ACT concerning

Baltimore County – Alcoholic Beverages – Interest in Multiple Licenses

FOR the purpose of specifying that a certain prohibition against a person having an interest in more than one alcoholic beverages license issued by the Board of License Commissioners for Baltimore County does not apply to a license issued for a certain hotel; and generally relating to alcoholic beverages licenses in Baltimore County.

BY repealing and reenacting, without amendments,
Article – Alcoholic Beverages
Section 13–102 and 13–1606
Annotated Code of Maryland
(2016 Volume and 2017 Supplement)

BY repealing and reenacting, with amendments,
Article – Alcoholic Beverages
Section 13–1503
Annotated Code of Maryland
(2016 Volume and 2017 Supplement)

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

Article – Alcoholic Beverages

13–102.

This title applies only in Baltimore County.

13–1503.

(a) Except as provided in subsection (b) of this section **AND § 13–1606 OF THIS TITLE**, a person may not have an interest in more than one license issued by the Board, regardless of whether that interest is held or controlled by direct or indirect ownership, stock ownership, interlocking directors or interlocking stock ownership, or any other direct or indirect manner.

(b) This section does not apply to a license issued for a place operated as a **HOTEL**, motel, or motor court that has at least 100 rooms.

13–1606.

(a) The Board may allow a person to obtain a direct or indirect interest in:

(1) not more than 12 Class B (on-sale — hotels and restaurants) beer, wine, and liquor licenses; or

(2) if one of the restaurants for which a license is issued is located in the Liberty Road Commercial Revitalization District as defined by the County Council on October 18, 1999, not more than 13 Class B (on-sale — hotels and restaurants) beer, wine, and liquor licenses.

(b) A restaurant described in subsection (a) of this section shall:

(1) meet the requirements of the regulations of the Board regarding the availability and issuance of licenses;

(2) meet the definition requirements of “restaurant” established under the regulations of the Board;

(3) have a minimum dining seating capacity of 190 individuals;

(4) have a cocktail lounge or bar area seating capacity that does not exceed 25% of the dining seating capacity; and

(5) have not more than 40% of sales in alcoholic beverages in connection with the business.

(c) An indirect interest is presumed to exist between two persons, if the persons:

(1) have a common parent company;

(2) are parties to a franchise agreement, licensing agreement, or concession agreement;

(3) are part of a chain of businesses that is commonly owned and operated;

(4) share a director, stockholder, partner, or member;

(5) share a director, stockholder, partner, or member of a parent or subsidiary;

(6) share, directly or indirectly, profit from the sale of alcoholic beverages; or

(7) share a trade name, trademark, logo or theme, or mode of operation identifiable by the public.

(d) A license described in subsection (a) of this section does not confer an off-sale privilege.

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

Approved by the Governor, May 15, 2018.