

# HOUSE BILL 189

A2

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By: **Prince George's County Delegation**

Introduced and read first time: January 23, 2019

Assigned to: Economic Matters

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## A BILL ENTITLED

1 AN ACT concerning

2 **Prince George's County – Alcoholic Beverages – Class BLX Licenses**

3 **PG 304–19**

4 FOR the purpose of increasing in Prince George's County the number of Class BLX licenses  
5 that a person may hold; requiring the Board of License Commissioners for Prince  
6 George's County to take certain actions before issuing a certain Class BLX license to  
7 a license holder that already holds certain other Class BLX licenses; and generally  
8 relating to alcoholic beverages licenses in Prince George's County.

9 BY repealing and reenacting, without amendments,  
10 Article – Alcoholic Beverages  
11 Section 26–102  
12 Annotated Code of Maryland  
13 (2016 Volume and 2018 Supplement)

14 BY repealing and reenacting, with amendments,  
15 Article – Alcoholic Beverages  
16 Section 26–1616  
17 Annotated Code of Maryland  
18 (2016 Volume and 2018 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**

22 26–102.

23 This title applies only in Prince George's County.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 26–1616.

2 (a) There is a Class BLX license.

3 (b) (1) The Board may issue the license for use in a luxury–type restaurant, as  
4 defined in regulations of the Board, that has:

5 (i) a minimum capital investment of \$1,000,000 for a dining room  
6 facility and kitchen equipment, not including the cost of the land, building, or lease; and

7 (ii) seating for at least 100 individuals.

8 (2) If the criteria under paragraph (1) of this subsection are met, the Board  
9 may issue or transfer one Class BLX license on behalf of:

10 (i) the county;

11 (ii) the Maryland–National Capital Park and Planning Commission;

12 or

13 (iii) a private concessionaire under contract with:

14 1. the county; or

15 2. the Maryland–National Capital Park and Planning  
16 Commission.

17 (3) The Board may determine:

18 (i) the number of licenses to be issued;

19 (ii) to whom the license may be issued; and

20 (iii) whether a holder of an alcoholic beverages license may have an  
21 interest in one Class BLX license.

22 (4) The license authorizes the license holder to sell beer, wine, and liquor  
23 for on–premises consumption.

24 (c) (1) Subject to paragraphs (2) and (3) of this subsection, a person may not  
25 hold more than ~~[10]~~ 15 Class BLX licenses.

26 (2) The Board may issue:

27 (i) a fifth license to a license holder only if the date of application for  
28 the fifth license is at least 1 year after the date the license holder was issued the fourth  
29 license; and

1                   (ii) a sixth license only if the date of application for the sixth license  
2 is at least 1 year after the date the license holder was issued the fifth license.

3                   (3) In determining whether to issue a fifth, sixth, [seventh, eighth, ninth,  
4 or tenth] **OR SUBSEQUENT** license to a single license holder, the Board:

5                   (i) shall consider the number of licensed establishments existing in  
6 the area surrounding the site of the proposed licensed establishment; and

7                   (ii) may issue an additional license only if the Board determines that  
8 the proposed licensed establishment will enhance the recreational, business, and economic  
9 development of the area.

10                  (d) The profit realized from the sale of an alcoholic beverage under a license  
11 issued under subsection (b)(2) of this section may be for the use and benefit of the license  
12 holder.

13                  (e) The annual license fee is \$3,875.

14                  SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
15 1, 2019.