

SB0126/844032/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 126
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 8, after “conditions;” insert “authorizing the Board, notwithstanding a certain provision of law, to revoke a certain license after a finding that a certain activity has occurred; providing for the application of certain provisions of this Act;”; in line 12, after “Section” insert “4-605(a) and”; in line 17, after “11-1005” insert “and 11-2101”; and after line 19, insert:

“BY adding to

Article - Alcoholic Beverages

Section 11-2104

Annotated Code of Maryland

(2016 Volume and 2019 Supplement)”.

AMENDMENT NO. 2

On page 2, in line 18, after “(ii)” insert “SUBJECT TO § 4-605 OF THIS ARTICLE,”; and in line 22, after “AREA” insert “ADJACENT TO THE ENTERTAINMENT FACILITY”.

AMENDMENT NO. 3

On page 1, after line 22, insert:

“4-605.

(a) (1) Except as provided in paragraph (2) of this subsection, a local licensing board shall revoke a license if, after a hearing under § 4-603(b) of this subtitle, an activity listed in this section is found to have occurred on the licensed premises.

(Over)

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(2) The license of a person may not be revoked under paragraph (1) of this subsection if:

(i) the person operates a theater, a concert hall, an art center, a museum, or a similar establishment that is primarily devoted to the arts or theatrical performances; and

(ii) the performances express matters of serious literary, artistic, scientific, or political value.”.

On page 3, after line 6, insert:

“11-2101.

(a) The following sections of Title 4, Subtitle 6 (“Revocation and Suspension of Local Licenses”) of Division I of this article apply in the county without exception or variation:

(1) § 4-602 (“Power of local licensing board”);

(2) § 4-604 (“Grounds for revocation or suspension”); AND

(3) [§ 4-605 (“Nudity and sexual displays”); and

(4)] § 4-606 (“Effects of revocation”).

(b) [Section] THE FOLLOWING SECTIONS OF TITLE 4, SUBTITLE 6 (“REVOCATION AND SUSPENSION OF LOCAL LICENSES”) OF DIVISION I OF THIS ARTICLE APPLY IN THE COUNTY:

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(1) § 4-603 (“Revocation and suspension procedures”) [of Division I of this article applies in the county], subject to §§ 11-2102 and 11-2103 of this subtitle; AND

(2) § 4-605 (“NUDITY AND SEXUAL DISPLAYS”), SUBJECT TO § 11-2104 OF THIS SUBTITLE.

11-2104.

(A) THIS SECTION APPLIES ONLY TO AN ENTERTAINMENT FACILITY LICENSE ISSUED UNDER § 11-1005 OF THIS TITLE.

(B) NOTWITHSTANDING THE MANDATORY REVOCATION REQUIREMENT FOR LOCAL LICENSING BOARDS UNDER § 4-605(A) OF THIS ARTICLE, AFTER A FINDING THAT AN ACTIVITY LISTED IN § 4-605 OF THIS ARTICLE HAS OCCURRED, THE BOARD MAY REVOKE THE LICENSE.”.