

**SB0069/174034/1**

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 69  
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Class” insert “A, A-2, and”; in line 3, after the first “of” insert “providing that an application for a certain license renewal is not complete without a certain affidavit;”; in line 6, after the second “a” insert “Class A license, Class A-2 license, or”; in line 12, after “date;” insert “requiring the Board to adopt certain regulations in accordance with certain requirements; providing for the application of this Act;”; in line 21, after “12-902.1” insert “and 12-1407”; and after line 23, insert:

“BY adding to

Article – Alcoholic Beverages

Section 12-1804.2

Annotated Code of Maryland

(2016 Volume and 2019 Supplement)”.

AMENDMENT NO. 2

On page 2, in line 4, after “(a)” insert “**THIS SECTION DOES NOT APPLY IN THE 43RD LEGISLATIVE DISTRICT.**

**(B)**”;

in lines 5, 7, and 19, strike “(b)”, “(c)”, and “(d)”, respectively, and substitute “**(C)**”, “**(D)**”, and “**(E)**”, respectively; and in line 12, after “license” insert “**ON OR**”.

On pages 2 and 3, strike in their entirety the lines beginning with line 21 on page 2 through line 7 on page 3, inclusive.

On page 3, in line 8, strike “**(I)**” and substitute “**(F)**”; and after line 8, insert:

(Over)

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“12–1407.

(a) (1) The Board or the Board’s designee shall examine each application for the issuance or transfer of a license within 45 days of receipt of the application to determine whether the application is complete.

(2) Except as provided in paragraph (3) of this subsection, an application for the issuance, transfer, or renewal is not complete unless the applicant has:

(i) obtained zoning approval or verification of zoning if the application is for renewal;

(ii) submitted all documents required in the application; [and]

(iii) paid all fines and fees that are due; AND

**(IV) FOR THE RENEWAL OF A CLASS A BEER, WINE, AND LIQUOR LICENSE, A CLASS A–2 BEER, WINE, AND LIQUOR LICENSE, OR A CLASS A–7 BEER, WINE, AND LIQUOR LICENSE, SUBMITTED AN AFFIDAVIT AS REQUIRED BY § 12–1804.2 OF THIS TITLE.**

(3) An application for the issuance, transfer, or renewal of a Class B–D–7 license that may be issued under § 12–1603(c)(8) of this title in the Old Goucher Revitalization District under § 12–1603(e) of this title is complete without an applicant obtaining zoning approval or verification of zoning.

(b) (1) A license hearing may not be scheduled unless the Board determines that the application is complete.

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(2) A complete application with all submitted documents shall be posted online at least 14 days before the hearing date.

(3) The postponement of a hearing shall be posted online not less than 72 hours before the hearing date.

(c) (1) To incorporate a change in the application document after the Board or the Board's designee has determined the application to be complete, the applicant shall submit the change to the Board not later than 15 days before the scheduled hearing.

(2) After the hearing on the application, an applicant may change the application only at a new hearing.

(d) The Board shall impose a fine that it determines for failure to comply with the requirements under this section.

**12-1804.2.**

**(A) THIS SECTION APPLIES ONLY TO A HOLDER OF:**

**(1) A CLASS A BEER, WINE, AND LIQUOR LICENSE;**

**(2) A CLASS A-2 BEER, WINE, AND LIQUOR LICENSE; AND**

**(3) A CLASS A-7 BEER, WINE, AND LIQUOR LICENSE.**

**(B) (1) A LICENSE HOLDER SHALL MAINTAIN AND OPERATE A DIGITAL SURVEILLANCE SYSTEM ON THE LICENSED PREMISES IN ACCORDANCE WITH THIS SECTION AND REGULATIONS ADOPTED BY THE BOARD UNDER SUBSECTION (C) OF THIS SECTION.**

(Over)

(2) THE DIGITAL SURVEILLANCE SYSTEM SHALL BE EQUIPPED WITH HIGH-DEFINITION CAMERAS THAT PROVIDE CONTINUOUS, 24-HOUR VIDEO MONITORING WITHOUT AUDIO RECORDING CAPACITY PLACED INSIDE AND OUTSIDE THE LICENSED PREMISES.

(3) THE CAMERAS MUST BE PLACED IN SUCH A WAY THAT:

(I) THE EXTERIOR OF EACH ENTRYWAY INTO THE LICENSED PREMISES IS MONITORED;

(II) THE INTERIOR OF EACH ENTRYWAY INTO THE LICENSED PREMISES IS MONITORED; AND

(III) THE CASH REGISTER OR TILL IS MONITORED.

(4) THE VIDEO RECORDED FROM THE SURVEILLANCE SYSTEM SHALL BE RETAINED FOR NOT LESS THAN 14 DAYS.

(5) A LICENSE HOLDER MUST POST APPROPRIATE SIGNAGE NOTIFYING INDIVIDUALS ON THE PREMISES THEY ARE BEING RECORDED.

(C) (1) ON OR BEFORE DECEMBER 31, 2020, THE BOARD SHALL ADOPT REGULATIONS RELATING TO DIGITAL SURVEILLANCE IN CONSULTATION WITH THE BALTIMORE POLICE DEPARTMENT.

(2) THE REGULATIONS ADOPTED IN ACCORDANCE WITH PARAGRAPH (1) OF THIS SUBSECTION SHALL:

(I) REQUIRE THAT LICENSED ESTABLISHMENTS RETAIN VIDEO RECORDINGS FROM THE SURVEILLANCE SYSTEM FOR NOT LESS THAN 14 DAYS BUT NOT MORE THAN 30 DAYS;

(II) REQUIRE THAT A NOTICE BE PLACED IN A CONSPICUOUS LOCATION ON THE INTERIOR AND EXTERIOR OF THE PREMISES LOCATION NOTIFYING THE PUBLIC THAT THE LICENSED ESTABLISHMENT IS SUBJECT TO 24-HOUR VIDEO SURVEILLANCE MONITORING;

(III) INCLUDE DETAILS REGARDING THE SPECIFICATIONS FOR WHAT TYPES OF VIDEO SURVEILLANCE SYSTEMS ARE ACCEPTABLE;

(IV) REQUIRE THAT THE BALTIMORE POLICE DEPARTMENT MAY REQUEST VIDEO FOOTAGE ONLY IN CONNECTION WITH A CRIMINAL INVESTIGATION AND THAT VIDEO FOOTAGE OBTAINED IN VIOLATION OF THIS SECTION IS INADMISSIBLE IN A CRIMINAL PROCEEDING;

(V) INCLUDE DETAILS ON HOW AND WHEN THE BOARD WILL VERIFY THAT AN ACCEPTABLE VIDEO SURVEILLANCE SYSTEM HAS BEEN INSTALLED AS WELL AS PENALTIES FOR FAILURE TO COMPLY WITH THIS SECTION; AND

(VI) PROVIDE FOR THE ISSUANCE OF TEMPORARY WAIVERS TO LICENSE HOLDERS WHO PURCHASED AND INSTALLED NONCOMPLIANT SURVEILLANCE SYSTEMS PRIOR TO OCTOBER 1, 2020.

(D) BEGINNING JANUARY 1, 2021, A LICENSE HOLDER APPLYING FOR A LICENSE RENEWAL SHALL FILE WITH THE LICENSE RENEWAL APPLICATION AN AFFIDAVIT VERIFYING COMPLIANCE WITH SUBSECTION (B) OF THIS SECTION.”.