## HOUSE BILL 377

### By: Montgomery County Delegation

Introduced and read first time: January 22, 2020 Assigned to: Economic Matters

Committee Report: Favorable with amendments House action: Adopted Read second time: March 10, 2020

CHAPTER \_\_\_\_\_

1 AN ACT concerning

# Montgomery County - Alcoholic Beverages - Consumption Only Marketplace License

#### 4

#### MC 11-20

- $\mathbf{5}$ FOR the purpose of establishing in Montgomery County a consumption only marketplace 6 license; authorizing the Board of License Commissioners to issue the license to the 7 developer of a commercial shopping center if the commercial shopping center meets 8 certain criteria; authorizing the license holder to allow the consumption of beer, 9 wine, and liquor in a designated outdoor area if the beer, wine, or liquor is purchased 10 from certain establishments; requiring a developer to include certain information in 11 the license application; providing for the hours of consumption for the license; 12establishing an annual license fee; defining a certain term; and generally relating to a consumption only marketplace license in Montgomery County. 13
- 14 BY repealing and reenacting, without amendments,
- 15 Article Alcoholic Beverages
- 16 Section 25–102
- 17 Annotated Code of Maryland
- 18 (2016 Volume and 2019 Supplement)
- 19 BY adding to
- 20 Article Alcoholic Beverages
- 21 Section 25–1004.1
- 22 Annotated Code of Maryland

#### EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

<u>Underlining</u> indicates amendments to bill.

Strike out indicates matter stricken from the bill by amendment or deleted from the law by amendment.



	2	HOUSE BILL 377
1	(2016 Volume and 2019 Supplement)	
$\frac{2}{3}$		TION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, aws of Maryland read as follows:
4		Article – Alcoholic Beverages
<b>5</b>	25–102.	
6	This title applies only in Montgomery County.	
7	25–1004.1.	
8 9	(A) IN THIS SECTION, "SHOPPING CENTER" MEANS ANY COMBINATION OF PRIVATELY OWNED PRIVATELY OWNED COMMERCIAL, PROFESSIONAL, OR RETAIL	
10	ESTABLISHMENTS TO WHICH THE GENERAL PUBLIC IS INVITED FOR BUSINESS	
11	PURPOSES	5.
12	<b>(</b> B <b>)</b>	THERE IS A CONSUMPTION ONLY MARKETPLACE LICENSE.
13	(C)	THE BOARD MAY ISSUE A CONSUMPTION ONLY MARKETPLACE LICENSE
14	TO THE DEVELOPER OF A COMMERCIAL SHOPPING CENTER IF THE COMMERCIAL	
15	SHOPPING	CENTER:
16		(1) ENCOMPASSES AN AREA OF AT LEAST 10 ACRES;
17		(2) INCLUDES AT LEAST ONE ESTABLISHMENT FOR WHICH A CLASS B
18	LICENSE,	CLASS BD-BWL LICENSE, CLASS D-BWL LICENSE, OR CLASS H LICENSE
19	HAS BEEN ISSUED; AND	
20		(3) CONTAINS A DESIGNATED OUTDOOR AREA FOR THE
21	CONSUMP	TION OF ALCOHOLIC BEVERAGES.
22	(D)	THE LICENSE AUTHORIZES THE LICENSE HOLDER TO ALLOW THE
23	CONSUMP'	TION OF BEER, WINE, AND LIQUOR IN A DESIGNATED OUTDOOR AREA
24	LOCATED WITHIN THE COMMERCIAL SHOPPING CENTER IF THE BEER, WINE, OR	
25	LIQUOR IS	PURCHASED AT AN ESTABLISHMENT:
26		(1) THAT IS LOCATED WITHIN THE COMMERCIAL SHOPPING CENTER;
27		(2) FOR WHICH A CLASS B LICENSE, CLASS BD–BWL LICENSE, OR
28	CLASS H LICENSE HAS BEEN ISSUED;	
29		(3) IS CONTIGUOUS TO THE DESIGNATED OUTDOOR AREA; AND

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1(4)THAT USES CONTAINERS BRANDED WITH AN IDENTIFYING MARK2OF THE SELLER.

- 3 (E) AS PART OF THE LICENSE APPLICATION, A DEVELOPER SHALL INCLUDE:
  4 (1) A DESCRIPTION OF THE DESIGNATED OUTDOOR AREA AND A LIST
  5 OF THE CONTIGUOUS LICENSE HOLDERS WHOSE BEER, WINE, AND LIQUOR MAY BE
  6 CONSUMED IN THE DESIGNATED OUTDOOR AREA; AND
- 7 (2) A SECURITY PLAN THAT HAS BEEN APPROVED BY THE 8 MONTGOMERY COUNTY <del>POLICE</del> DEPARTMENT <u>OF POLICE</u>.
- 9 (F) THE LICENSE HOLDER MAY ALLOW THE CONSUMPTION OF BEER, WINE, 10 AND LIQUOR IN THE DESIGNATED OUTDOOR AREA ON MONDAY THROUGH SUNDAY, 11 FROM 11 A.M. TO 11 P.M.
- 12 (G) THE ANNUAL LICENSE FEE IS 4,000.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
 1, 2020.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.