

# SENATE BILL 904

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4lr3021  
CF HB 1089

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By: **Senator Hayes**

Introduced and read first time: February 2, 2024

Assigned to: Finance

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Committee Report: Favorable

Senate action: Adopted

Read second time: February 23, 2024

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Baltimore City – Alcoholic Beverages – Class B Beer, Wine, and Liquor Licenses**

3 FOR the purpose of authorizing the Board of License Commissioners for Baltimore City to  
4 issue a Class B beer, wine, and liquor license in a certain area; establishing the  
5 requirements for a holder of the license; and generally relating to alcoholic beverages  
6 licenses in Baltimore City.

7 BY repealing and reenacting, without amendments,  
8 Article – Alcoholic Beverages and Cannabis  
9 Section 12–102  
10 Annotated Code of Maryland  
11 (2016 Volume and 2023 Supplement)

12 BY adding to  
13 Article – Alcoholic Beverages and Cannabis  
14 Section 12–1606  
15 Annotated Code of Maryland  
16 (2016 Volume and 2023 Supplement)

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

19 **Article – Alcoholic Beverages and Cannabis**

20 12–102.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

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



1 This title applies only in Baltimore City.

2 **12-1606.**

3 (A) NOTWITHSTANDING ANY OTHER PROVISION OF LAW IN THIS TITLE, THE  
4 BOARD MAY ISSUE A CLASS B BEER, WINE, AND LIQUOR LICENSE FOR USE BY A  
5 RESTAURANT IN WARD 4, PRECINCTS 1 AND 2 THAT:

6 (1) HAS AVERAGE DAILY RECEIPTS FROM THE SALE OF FOOD THAT  
7 ARE AT LEAST 51% OF THE TOTAL DAILY RECEIPTS OF THE RESTAURANT;

8 (2) HAS BEEN CLASSIFIED BY THE BALTIMORE CITY HEALTH  
9 DEPARTMENT AS:

10 (I) A HIGH PRIORITY FOOD SERVICE FACILITY; OR

11 (II) A MODERATE PRIORITY FOOD SERVICE FACILITY; AND

12 (3) HAS EXECUTED A MEMORANDUM OF UNDERSTANDING WITH THE  
13 DOWNTOWN PARTNERSHIP OF BALTIMORE.

14 (B) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION,  
15 THE HOLDER OF A LICENSE ISSUED UNDER THIS SECTION MAY NOT SELL ALCOHOLIC  
16 BEVERAGES FOR OFF-PREMISES CONSUMPTION.

17 (2) THE BOARD MAY ISSUE THE HOLDER OF A LICENSE ISSUED  
18 UNDER THIS SECTION A REFILLABLE CONTAINER PERMIT IN ACCORDANCE WITH §  
19 12-1102 OF THIS TITLE.

20 (C) A LICENSE ISSUED UNDER THIS SECTION MAY NOT BE TRANSFERRED  
21 FROM THE LOCATION OF ITS FIRST ISSUANCE.

22 (D) IF A LICENSE ISSUED UNDER THIS SECTION IS RENEWED, THE LICENSE  
23 HOLDER SHALL FILE WITH THE BOARD AS PART OF ITS RENEWAL APPLICATION:

24 (1) A STATEMENT DETAILING THE AVERAGE DAILY RECEIPTS FROM  
25 THE RESTAURANT;

26 (2) AN AFFIDAVIT FROM A CERTIFIED PUBLIC ACCOUNTANT THAT  
27 VERIFIES THAT THE LICENSE HOLDER MEETS THE REQUIREMENTS OF SUBSECTION  
28 (B)(1) OF THIS SECTION; AND

29 (3) ANY OTHER INFORMATION THAT THE BOARD REQUIRES.

1           **(E) THE BOARD:**

2                   **(1) MAY NOT ISSUE A NEW LICENSE UNDER THIS SECTION AFTER**  
3 **JUNE 30, 2028; BUT**

4                   **(2) MAY CONTINUE TO RENEW LICENSES ISSUED ON OR BEFORE JUNE**  
5 **30, 2028.**

6           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
7 1, 2024.

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.