

SENATE BILL 1046

A2

4lr2305

By: **Anne Arundel County Senators**

Introduced and read first time: February 2, 2024

Assigned to: Finance

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 29, 2024

CHAPTER _____

1 AN ACT concerning

2 **Anne Arundel County – Alcoholic Beverages – ~~Fees~~ License Fees and Technical**
3 **Corrections**

4 FOR the purpose of increasing alcoholic beverages license ~~and permit~~ fees paid to the Board
5 of License Commissioners for Anne Arundel County; clarifying that the holder of a
6 gift basket license may purchase alcoholic beverages from a retail dealer; and
7 generally relating to alcoholic beverages license ~~and permit~~ fees in Anne Arundel
8 County.

9 BY repealing and reenacting, without amendments,

10 Article – Alcoholic Beverages and Cannabis

11 Section 11-102, 11-701(a), 11-801(a), 11-802(a), 11-803(a), 11-804(a), 11-805(a),
12 11-806(a), 11-901(a), 11-902(a), 11-903(a), 11-904(a), 11-905(a), 11-906(a),
13 11-907(a), 11-1001(a), 11-1002(a), 11-1002.1(b), 11-1002.2(a), 11-1003(a),
14 11-1004(b), 11-1005(b), 11-1006(a), ~~11-1006.1(a)~~, 11-1006.2(a), 11-1007(a),
15 11-1007.1(a), 11-1008(b), 11-1008.1(a), 11-1009(a), 11-1010(a), ~~11-1103(a),~~
16 ~~11-1103.1(a), 11-1104(b), 11-1305(a), 11-1306(a), 11-1307(a), 11-1308(a),~~
17 and 11-1608(b)

18 Annotated Code of Maryland

19 (2016 Volume and 2023 Supplement)

20 BY repealing and reenacting, with amendments,

21 Article – Alcoholic Beverages and Cannabis

22 Section 11-701(d), 11-801(c), 11-802(d), 11-803(c), 11-804(d), 11-805(d), 11-806(d),
23 11-901(d), 11-902(e), 11-903(c), 11-904(c), 11-905(e), 11-906(d), 11-907(d),

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 11-1001(f), 11-1002(f), 11-1002.1(g), 11-1002.2(f), 11-1003(e), 11-1004(g),
2 11-1005(g), 11-1006(e), ~~11-1006.1(h)~~ 11-1006.1, 11-1006.2(h), 11-1007(g),
3 11-1007.1(f), 11-1008(f), 11-1008.1(g), 11-1009(e), 11-1010(f), ~~11-1102,~~
4 ~~11-1103(e), 11-1103.1(e), 11-1104(f), 11-1305(g), 11-1306(e), 11-1307(e),~~
5 ~~11-1308(e)~~ 11-1305 through 11-1308, 11-1311, and 11-1608(h), ~~11-1703,~~
6 ~~and 11-1802~~

7 Annotated Code of Maryland
8 (2016 Volume and 2023 Supplement)

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

11 **Article – Alcoholic Beverages and Cannabis**

12 11-102.

13 This title applies only in Anne Arundel County.

14 11-701.

15 (a) There is a Class A light wine license in the county.

16 (d) The annual license fee is ~~[\$60]~~ **\$81**.

17 11-801.

18 (a) There is a Class A beer and light wine license.

19 (c) The annual license fee is ~~[\$240]~~ **\$324**.

20 11-802.

21 (a) There is a Class B beer and light wine license.

22 (d) The annual license fee is ~~[\$480]~~ **\$648**.

23 11-803.

24 (a) There is a Class C beer and light wine license.

25 (c) The annual license fee is ~~[\$120]~~ **\$162**.

26 11-804.

27 (a) There is a Class D beer and light wine license.

28 (d) The annual license fee is ~~[\$480]~~ **\$648**.

1 11-805.

2 (a) There is a Class H beer and light wine license.

3 (d) The annual license fee is [~~\$360~~] **\$486**.

4 11-806.

5 (a) There is a beer and wine (hotel-limited service) license.

6 (d) The annual license fee is [~~\$2,400~~] **\$3,240** to be paid on or before May 1.

7 11-901.

8 (a) There is a Class A beer, wine, and liquor license.

9 (d) The annual license fee is [~~\$720~~] **\$972**.

10 11-902.

11 (a) There is a Class B beer, wine, and liquor license.

12 (e) The annual fee for the license is [~~\$1,080~~] **\$1,458**.

13 11-903.

14 (a) There is a Class C beer, wine, and liquor license.

15 (c) The annual license fee is [~~\$480~~] **\$648**.

16 11-904.

17 (a) There are:

18 (1) a Class D beer, wine, and liquor license for on- and off-premises
19 consumption; and

20 (2) a limited Class D beer, wine, and liquor license for on-premises
21 consumption only.

22 (c) The annual license fees are:

23 (1) [~~\$1,200~~] **\$1,620** for a Class D license; and

24 (2) [~~\$1,080~~] **\$1,458** for a limited Class D license.

1 11-905.

2 (a) There is a Class H beer, wine, and liquor license.

3 (e) The annual license fee is [~~\$960~~] **\$1,296**.

4 11-906.

5 (a) There is a beer, wine, and liquor (hotel-limited service) license.

6 (d) The annual license fee is [~~\$2,800~~] **\$3,780**.

7 11-907.

8 (a) There is a motel/hotel-restaurant license.

9 (d) The annual license fee is [~~\$3,600~~] **\$4,860** for each separate establishment.

10 11-1001.

11 (a) There is an airport concessionaire license.

12 (f) (1) (i) The annual fee for the license and one location from which
13 alcoholic beverages may be sold is [~~\$5,000~~] **\$6,750**.

14 (ii) The annual fee for each additional location from which alcoholic
15 beverages may be sold is [~~\$5,000~~] **\$6,750**.

16 (2) Each fee shall be paid on or before May 1 to the Board.

17 11-1002.

18 (a) There is a barbershop and beauty salon beer and wine license.

19 (f) The annual license fee is [~~\$100~~] **\$135**.

20 11-1002.1.

21 (b) There is a commercial bingo license.

22 (g) The annual license fee is [~~\$2,500~~] **\$3,375**.

23 11-1002.2.

24 (a) There is a Class C (country and golf club) license.

1 (f) The annual license fee is ~~[\$1,800]~~ **\$2,430**.

2 11-1003.

3 (a) There is a Class C (country club) license.

4 (e) The annual license fee is ~~[\$750]~~ **\$1,012**.

5 11-1004.

6 (b) There is an entertainment concessionaire license.

7 (g) (1) The annual fee for the license is ~~[\$5,000]~~ **\$6,750**.

8 (2) The fee shall be paid on or before May 1 to the Board.

9 11-1005.

10 (b) There is an entertainment facility license.

11 (g) (1) The annual fee for the license is ~~[\$15,000]~~ **\$20,250**.

12 (2) The fee shall be paid on or before May 1 to the Board.

13 11-1006.

14 (a) There is a Class C (fraternal/sororal) organization license.

15 (e) The annual license fee is ~~[\$400]~~ **\$540**.

16 11-1006.1.

17 (a) There is a gift basket ~~permit~~ LICENSE.

18 (b) (1) The Board may issue the [permit] LICENSE to a person:

19 (i) whose primary business is the sale and delivery of flowers;

20 (ii) whose business includes the sale and delivery of gift baskets of
21 flowers, food, or other items; and

22 (iii) who does not hold any other alcoholic beverages license or permit
23 under this article.

1 (2) The Board may not issue the [permit] LICENSE for use in conjunction
 2 with or on the premises of a chain store, supermarket, or discount house.

3 (c) A holder of the [permit] LICENSE:

4 (1) may sell and deliver, to consumers of a legal drinking age located in the
 5 county, gift baskets containing:

6 (i) not more than 72 ounces of beer;

7 (ii) not more than 2.25 liters of wine; or

8 (iii) not more than 2.25 liters of liquor; and

9 (2) shall maintain records and submit reports as required by the Board.

10 (d) (1) Subject to paragraph (2) of this subsection, the [permit] LICENSE
 11 holder or an employee of the [permit] LICENSE holder shall:

12 (i) deliver the gift basket containing alcoholic beverages; and

13 (ii) require the person receiving a delivery of a gift basket containing
 14 alcoholic beverages to display proof that the person is at least 21 years old.

15 (2) An individual who delivers a gift basket containing alcoholic beverages
 16 shall be at least 21 years old.

17 (e) The holder's annual sales from alcoholic beverages may not exceed 10% of the
 18 holder's annual gross sales.

19 (f) [The alcoholic beverages contained in a gift basket shall be purchased from a
 20 retail license holder.] NOTWITHSTANDING ANY OTHER PROVISION OF LAW, A HOLDER
 21 OF THE LICENSE MAY PURCHASE ALCOHOLIC BEVERAGES FROM A RETAIL DEALER.

22 (g) The Board shall adopt regulations to carry out this section.

23 (h) The fee for a gift basket ~~permit~~ LICENSE is ~~[\$100]~~ **\$135.**

24 11-1006.2.

25 (a) There is a Class MT (movie theater) beer and wine license.

26 (h) The annual license fee is ~~[\$1,200]~~ **\$1,620.**

27 11-1007.

1 (a) There is a racetrack license.

2 (g) The annual license fee is ~~[\$25,000]~~ **\$33,750** to be paid to the Board on or
3 before January 1 for the racing of the preceding year.

4 11-1007.1.

5 (a) There is a racetrack concessionaire license.

6 (f) The annual license fee is ~~[\$5,000]~~ **\$6,750**.

7 11-1008.

8 (b) There is a resort complex license.

9 (f) (1) The annual license fee is ~~[\$1,800]~~ **\$2,430**.

10 (2) The fee shall be paid on or before May 1 to the Board.

11 11-1008.1.

12 (a) There is a Class C (small yacht club) license.

13 (g) The annual license fee is ~~[\$525]~~ **\$709**.

14 11-1009.

15 (a) There is a Class C (veterans' organization) license.

16 (e) The annual license fee is ~~[\$400]~~ **\$540**.

17 11-1010.

18 (a) There is a Class C (yacht club) license.

19 (f) The annual license fee is ~~[\$1,800]~~ **\$2,430**.

20 ~~11-1102.~~

21 ~~(a) (1) On the premises, or on adjacent property over which a license holder~~
22 ~~has ownership or control, a license holder:~~

23 ~~(i) may allow piped-in background music or one television screen;~~

24 ~~but~~

1 ~~(ii) unless issued a permit described in this section that authorizes~~
 2 ~~the activity, may not allow:~~

3 ~~1. the playing of music, including live music;~~

4 ~~2. the operation of a karaoke machine;~~

5 ~~3. the playing of music by a disc jockey; or~~

6 ~~4. dancing, floor shows, or any other similar type of~~
 7 ~~entertainment.~~

8 ~~(2) The Board may issue a permit described in this section only if the Board~~
 9 ~~finds that:~~

10 ~~(i) the applicant can control the individuals using the licensed~~
 11 ~~premises;~~

12 ~~(ii) the operation of the premises under the permit will not unduly~~
 13 ~~disturb the peace of the residents of the neighborhood in which the place of business is~~
 14 ~~located; and~~

15 ~~(iii) the issuing of the permit:~~

16 ~~1. is necessary to accommodate the public;~~

17 ~~2. will not be detrimental to the public welfare; and~~

18 ~~3. will not violate a county fire, health, or building~~
 19 ~~regulation.~~

20 ~~(b) (1) There is a music permit.~~

21 ~~(2) The Board may issue the permit to a holder of a Class B license, a Class~~
 22 ~~BLX license, a Class D license, or a Class H license.~~

23 ~~(3) The permit authorizes the playing of recorded music or live music with~~
 24 ~~not more than two musicians.~~

25 ~~(4) The permit holder may not allow dancing, floor shows, or similar live~~
 26 ~~entertainment.~~

27 ~~(5) The annual permit fee is ~~[\$100] \$135.~~~~

28 ~~(e) (1) There is an entertainment permit.~~

1 ~~(2) The Board may issue the permit to a holder of a Class B license, a Class~~
2 ~~BLX license, a Class D license, or a Class H license.~~

3 ~~(3) The permit authorizes:~~

4 ~~(i) live music with not more than four musicians; and~~

5 ~~(ii) the playing of:~~

6 ~~1. more than one television;~~

7 ~~2. a karaoke machine; and~~

8 ~~3. music by a disc jockey.~~

9 ~~(4) The permit holder may not allow dancing, floor shows, or similar live~~
10 ~~entertainment.~~

11 ~~(5) The annual permit fees are:~~

12 ~~(i) [\$200] \$270 for a holder of a beer and wine license; and~~

13 ~~(ii) [\$300] \$405 for a holder of a beer, wine, and liquor license.~~

14 ~~(d) (1) There is a dancing permit.~~

15 ~~(2) The Board may issue the permit to a holder of:~~

16 ~~(i) a Class B license;~~

17 ~~(ii) except as provided in paragraph (4) of this subsection, a Class~~
18 ~~BLX license;~~

19 ~~(iii) a Class C license;~~

20 ~~(iv) a Class D license; or~~

21 ~~(v) except as provided in paragraph (4) of this subsection, a Class H~~
22 ~~license.~~

23 ~~(3) The permit authorizes the holder to provide music, dancing, and other~~
24 ~~legal forms of entertainment.~~

25 ~~(4) The Board may not issue the permit to a holder of a Class BLX license~~
26 ~~or a Class H license if the premises for which the Class BLX license or Class H license is~~
27 ~~issued is within 1,000 feet in a straight line from entry to entry from a place of worship or~~
28 ~~school.~~

1 ~~(5) The annual permit fees are:~~

2 ~~(i) ~~[\$200] \$270 for a holder of a beer and wine license;~~~~

3 ~~(ii) ~~[\$400] \$540 for a holder of a beer, wine, and liquor license; and~~~~

4 ~~(iii) ~~no charge for a holder of a Class C license.~~~~

5 ~~(e) (1) There is an outdoor permit.~~

6 ~~(2) The Board may issue the permit to a holder of a Class B license, a Class~~
7 ~~BLX license, a Class C license, a Class D license, or a Class H license.~~

8 ~~(3) The permit authorizes the holder to provide outdoor table service to~~
9 ~~customers on the grounds of the licensed establishment.~~

10 ~~(4) The annual permit fee is ~~[\$100] \$135.~~~~

11 ~~(5) Before the permit may be renewed, a holder shall obtain approval from~~
12 ~~the Board.~~

13 ~~(f) (1) There is an outdoor entertainment permit.~~

14 ~~(2) The Board may issue the permit to a holder of a Class B license, a Class~~
15 ~~BLX license, a Class C license, a Class D license, or a Class H license who also holds a~~
16 ~~music permit, an entertainment permit, or a dancing permit under this section.~~

17 ~~(3) The permit authorizes the holder to provide:~~

18 ~~(i) the same form of entertainment outdoors that the holder is~~
19 ~~allowed to provide indoors under the holder's music permit, entertainment permit, or~~
20 ~~dancing permit; and~~

21 ~~(ii) outdoor table service or cafe service.~~

22 ~~11-1103.~~

23 ~~(a) The Board may issue a refillable container permit for draft beer to a holder of~~
24 ~~a Class A license, a Class B license, or a Class D license.~~

25 ~~(e) The annual permit fees are:~~

26 ~~(1) ~~[\$50] \$67 for an applicant whose license has an off-sale privilege; and~~~~

27 ~~(2) ~~[\$500] \$675 for an applicant whose license does not have an off-sale~~~~
28 ~~privilege.~~

1 ~~11-1103.1.~~

2 ~~(a) The Board may issue a nonrefillable container permit for draft beer to a holder~~
3 ~~of a Class A license, a Class B license, or a Class D license.~~

4 ~~(c) (1) Except as provided in paragraph (2) of this subsection, the annual~~
5 ~~permit fees are:~~

6 ~~(i) [\$50] \$67 for an applicant whose license has an off-sale~~
7 ~~privilege; and~~

8 ~~(ii) [\$500] \$675 for an applicant whose license does not have an~~
9 ~~off-sale privilege.~~

10 ~~(2) An applicant who has a refillable container permit may not be charged~~
11 ~~a fee for a nonrefillable container permit.~~

12 ~~11-1104.~~

13 ~~(b) There is a Sunday permit.~~

14 ~~(f) The annual permit fees are:~~

15 ~~(1) [\$60] \$81 for a beer and light wine Sunday permit; and~~

16 ~~(2) [\$120] \$162 for a beer, wine, and liquor Sunday permit.~~

17 ~~11-1305.~~

18 ~~(a) There is a Class WS wine sampling license.~~

19 ~~(g) The license fee is [\$15] \$20 per day.~~

20 ~~11-1306.~~

21 ~~(a) There is a Class WT wine tasting license.~~

22 ~~(c) The annual license fee is:~~

23 ~~(1) [\$50] \$67 for a holder of a Class BW license; and~~

24 ~~(2) [\$150] \$202 for a holder of a Class BWL license.~~

25 ~~11-1307.~~

1 ~~(a) There is a BWT beer and wine tasting license.~~

2 ~~(e) In addition to the Class A annual fee, the annual license fee is ~~[\$150] \$202.~~~~

3 ~~11-1308.~~

4 ~~(a) There is a BWLT beer, wine, and liquor tasting license.~~

5 ~~(e) In addition to the Class A annual fee, the annual license fee is ~~[\$500] \$675.~~~~

6 11-1305.

7 (a) There is a Class WS wine sampling [license] PERMIT.

8 (b) The Board may issue the [license] PERMIT to a nonprofit organization.

9 (c) (1) The [license] PERMIT authorizes the on-premises consumption of wine
10 for sampling:

11 (i) on premises for which a Class B beer and wine or beer, wine, and
12 liquor license has been issued, with the consent of the holder of the license for the premises;
13 or

14 (ii) at a location that is not already licensed.

15 (2) The [license] PERMIT holder may bring wine onto the Class B licensed
16 premises for sampling.

17 (d) The nonprofit organization shall apply for the [license] PERMIT at least 15
18 days before the [license] PERMIT is issued.

19 (e) The Board may issue not more than 12 [licenses] PERMITS in a license year
20 to a single nonprofit organization.

21 (f) The [license] PERMIT holder may serve a quantity of not more than 2 ounces
22 from each offering to an individual.

23 (g) The [license] PERMIT fee is \$15 per day.

24 11-1306.

25 (a) There is a Class WT wine tasting [license] PERMIT.

26 (b) The Board may issue the [license] PERMIT to a holder of a Class BW license
27 or Class BWL license.

1 (c) The [license] PERMIT authorizes the [license] PERMIT holder to allow
2 on-premises consumption for tasting of light wine.

3 (d) The [license] PERMIT holder may serve a quantity of not more than 1 ounce
4 from each offering to an individual.

5 (e) The annual [license] PERMIT fee is:

6 (1) \$50 for a holder of a Class BW license; and

7 (2) \$150 for a holder of a Class BWL license.

8 11-1307.

9 (a) There is a BWT beer and wine tasting [license] PERMIT.

10 (b) The Board may issue the [license] PERMIT to a holder of a Class A beer, wine,
11 and liquor license or Class A beer and wine license.

12 (c) The [license] PERMIT authorizes a [license] PERMIT holder to allow
13 on-premises consumption of beer and light wine for tasting.

14 (d) The [license] PERMIT holder may serve to an individual:

15 (1) light wine in a quantity of not more than 1 ounce from each offering;
16 and

17 (2) beer in a quantity of not more than 3 ounces.

18 (e) In addition to the Class A annual LICENSE fee, the annual [license] PERMIT
19 fee is \$150.

20 11-1308.

21 (a) There is a BWLT beer, wine, and liquor tasting [license] PERMIT.

22 (b) The Board may issue the [license] PERMIT to a holder of a Class A beer, wine,
23 and liquor license or Class A beer and wine license.

24 (c) The [license] PERMIT authorizes a [license] PERMIT holder to allow
25 on-premises consumption of beer, light wine, and liquor for tasting.

26 (d) The [license] PERMIT holder may serve to an individual:

27 (1) liquor in a quantity of not more than one-half ounce each from any of
28 five offerings per day;

1 (2) light wine in a quantity of not more than 1 ounce from each offering;
 2 and

3 (3) beer in a quantity of not more than 3 ounces.

4 (e) In addition to the Class A annual LICENSE fee, the annual [license] PERMIT
 5 fee is \$500.

6 11–1311.

7 (a) The fee for a Class C per diem beer license and a Class C per diem beer and
 8 wine license is [~~\$25~~] **\$34** per day.

9 (b) The fee for a Class C per diem beer, wine, and liquor license is [~~\$50~~] **\$67** per
 10 day.

11 11–1608.

12 (b) The Board may issue a 7–day Class BLX deluxe restaurant on–sale beer, wine,
 13 and liquor license.

14 (h) The annual license fee is [~~\$1,200~~] **\$1,620**.

15 ~~11–1703.~~

16 ~~(a) This section does not apply to a club license.~~

17 ~~(b) The fee for a transfer of location or ownership of a license is [~~\$200~~] ~~\$270~~.~~

18 ~~11–1802.~~

19 ~~An applicant for a license renewal shall pay to the local collecting agent a~~
 20 ~~nonrefundable renewal fee of [~~\$50~~] ~~\$67~~ in addition to the annual license fee.~~

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
 22 1, 2024.