

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL NO. 928

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike “Gaithersburg and Germantown” and substitute “Issuance”; in line 5, strike “including certain areas of” and substitute “altering provisions relating to”; in the same line, strike “among those where” and substitute “for the issuance of”; strike beginning with “may” in line 6 down through “areas” in line 7 and substitute “; providing for the issuance of a certain license for a certain fee”; after line 8, insert:

“BY repealing and reenacting, with amendments,

Article 2B - Alcoholic Beverages

Section 6-201(q)(2)(v)

Annotated Code of Maryland

(1996 Replacement Volume)”;

and in line 18, strike “9-102.1(h)” and substitute “9-102.1(e), (f), (g), and (h)”.

AMENDMENT NO. 2

On page 1, after line 26, insert:

“(e) (1) A licensee may obtain one additional license for premises which meet the qualifications specified in this subsection. For identification purposes, the additional license may be referred to as a [“3-year”] “1-YEAR” license.

(2) An applicant for this additional license shall:

(i) Have the applicant’s place of business located in this State;

(ii) Have been the holder of a license for at least [3 years] 1 YEAR;

(Over)

(iii) Operate a restaurant, as defined by regulations of the Board;
(iv) Have a capital investment of at least \$250,000 for restaurant facilities,
excluding the cost of land and buildings; and

(v) Have a seating capacity of at least 125 persons.

(3) This is an on-sale license only.”.

AMENDMENT NO. 3

On page 1, before line 27, insert:

“(f) (1) A licensee may obtain one additional license for premises which meet the qualifications specified in this subsection. For identification purposes, this additional license may be referred to as a “Silver Spring” license.

(2) The restaurant shall be located [both] within[:

(i) CBD zoned property in Silver Spring; and

(ii) An enclosed mall having at least 250,000 square feet of gross floor area] A
DESIGNATED ENTERPRISE ZONE IN SILVER SPRING.

(3) The requirement that the holder have been a licensee for [3 years] 1 YEAR does
not apply to this subsection.

[(4) The Board may grant a maximum of two licenses of this type to different
applicants.]

(g) (1) A licensee may obtain one additional license for premises which meet the qualifications specified in this subsection. For identification purposes, this additional license may be referred to as a [“Rockville-Major Mall”] “ROCKVILLE” license.

(2) The restaurant shall be located [either] within[:

(i)] CBD zoned property within the Rockville town center mixed use district[;

or

(ii) An enclosed retail mall anywhere in the county that has at least 700,000 square feet of gross floor area].

(3) The requirement that the holder have been a licensee for [3 years] 1 YEAR does not apply to this subsection.

[(4) The board may grant to different applicants a maximum of:

(i) Two licenses of this type for use in the Rockville town center mixed use district; and

(ii) One license of this type for use in each retail mall having at least 700,000 square feet of gross floor area.]”.

AMENDMENT NO. 4

On pages 1 and 2, strike in their entirety the lines beginning with line 27 on page 1 through line 20 on page 2, inclusive, and substitute:

“(H) (1) A LICENSEE MAY OBTAIN ONE ADDITIONAL LICENSE FOR PREMISES WHICH MEET THE QUALIFICATIONS SPECIFIED IN THIS SUBSECTION. FOR IDENTIFICATION PURPOSES, THE ADDITIONAL LICENSE MAY BE REFERRED TO AS AN “INCENTIVE” LICENSE.

(2) AN APPLICANT FOR AN ADDITIONAL LICENSE SHALL:

(I) HAVE THE APPLICANT’S PLACE OF BUSINESS LOCATED IN THIS STATE; AND

(II) OPERATE A RESTAURANT, AS DEFINED BY REGULATIONS OF THE BOARD.

(3) THE REQUIREMENT THAT THE HOLDER HAVE BEEN A LICENSEE FOR 1 YEAR DOES NOT APPLY TO THIS SUBSECTION.

(4) THIS IS AN ON-SALE LICENSE ONLY.

(I) (1) A LICENSEE MAY OBTAIN ONE ADDITIONAL LICENSE FOR PREMISES WHICH MEET THE QUALIFICATIONS SPECIFIED IN THIS SUBSECTION. FOR IDENTIFICATION PURPOSES, THE ADDITIONAL LICENSE MAY BE REFERRED TO AS A "5-YEAR" LICENSE.

(2) AN APPLICANT FOR AN ADDITIONAL LICENSE SHALL:

(I) HAVE THE APPLICANT'S PLACE OF BUSINESS LOCATED IN THIS STATE;

(II) HAVE BEEN FOR AT LEAST 5 YEARS THE HOLDER OF TWO LICENSES UNDER THIS SECTION THAT ARE NOT RESTRICTED BY LOCATION; AND

(III) OPERATE A RESTAURANT, AS DEFINED BY REGULATIONS OF THE BOARD.

(3) THIS IS AN ON-SALE LICENSE ONLY."

AMENDMENT NO. 5

On page 2, after line 30, insert:

"2. ONE 1-YEAR LICENSE UNDER SUBSECTION (E) OF THIS SECTION;

3. IF THE APPLICANT HAS ALREADY OBTAINED A RESTAURANT LICENSE FOR PROPERTY LOCATED IN THE SILVER SPRING ENTERPRISE ZONE OR FOR CBD ZONED PROPERTY LOCATED IN THE ROCKVILLE TOWN CENTER MIXED USE DISTRICT, ONE INCENTIVE LICENSE; AND

4. ONE 5-YEAR LICENSE.

(III) FOUR LICENSES MAY ALSO BE OBTAINED AS FOLLOWS:

1. ORIGINAL LICENSE;
2. ONE 1-YEAR LICENSE UNDER SUBSECTION (E) OF THIS SECTION;
3. ONE SILVER SPRING LICENSE UNDER SUBSECTION (F) OF THIS SECTION; AND
4. ONE ROCKVILLE LICENSE UNDER SUBSECTION (G) OF THIS SECTION.

(IV) THREE LICENSES MAY BE OBTAINED AS FOLLOWS:

1. ORIGINAL LICENSE;
2. ONE 1-YEAR LICENSE UNDER SUBSECTION (E) OF THIS SECTION; AND
3. A. IF THE APPLICANT HAS ALREADY OBTAINED A RESTAURANT LICENSE FOR PROPERTY IN THE SILVER SPRING ENTERPRISE ZONE OR FOR CBD ZONED PROPERTY IN THE ROCKVILLE TOWN CENTER MIXED USE DISTRICT, ONE INCENTIVE LICENSE; OR

B. ONE 5-YEAR LICENSE.

(V) THREE LICENSES MAY ALSO BE OBTAINED AS FOLLOWS:

1. ORIGINAL LICENSE;
2. ONE SILVER SPRING LICENSE UNDER SUBSECTION (F) OF THIS SECTION; AND

3. ONE ROCKVILLE LICENSE UNDER SUBSECTION (G) OF THIS SECTION.

(VI) THREE LICENSES MAY ALSO BE OBTAINED AS FOLLOWS:

1. ORIGINAL LICENSE;

2. ONE 1-YEAR LICENSE UNDER SUBSECTION (E) OF THIS SECTION; AND

3. A. ONE SILVER SPRING LICENSE UNDER SUBSECTION (F) OF THIS SECTION; OR

B. ONE ROCKVILLE LICENSE UNDER SUBSECTION (G) OF THIS SECTION.”.

On pages 2 and 3, strike in their entirety the lines beginning with line 31 on page 2 through line 28 on page 3.

AMENDMENT NO. 6

On page 1, after line 25, insert:

“6-201.

(q) (2) (v) 1. The annual license fee is \$2,500.

2. FOR THE THIRD LICENSE THAT IS NOT RESTRICTED BY LOCATION AND IS OBTAINED BY A LICENSEE UNDER § 9-102.1 OF THIS ARTICLE, THE ANNUAL FEE IS \$5,000.”.