

HOUSE BILL 471

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A2

1998 Regular Session  
8r1317  
CF 8r1779

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By: **Delegates Walkup, W. Baker, and Guns**  
Introduced and read first time: February 4, 1998  
Assigned to: Economic Matters

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A BILL ENTITLED

1 AN ACT concerning

2 **Kent County - Alcoholic Beverages - Licenses and Disciplinary Proceedings**

3 FOR the purpose of requiring a restaurant in Kent County for which a Class B beer,  
4 wine and liquor license is sought to meet a certain requirement concerning food  
5 sales and alcoholic beverages sales; prohibiting in Kent County a finding of  
6 probation before judgment from barring a proceeding brought by the Board of  
7 License Commissioners against a licensee for an alleged violation of the  
8 alcoholic beverages laws; and generally relating to alcoholic beverages in Kent  
9 County.

10 BY repealing and reenacting, with amendments,  
11 Article 2B - Alcoholic Beverages  
12 Section 5-201(p) and 12-108(f)  
13 Annotated Code of Maryland  
14 (1996 Replacement Volume and 1997 Supplement)

15 BY repealing and reenacting, without amendments,  
16 Article 2B - Alcoholic Beverages  
17 Section 6-201(p)(1)(i) and (2)(ii) and (iii)  
18 Annotated Code of Maryland  
19 (1996 Replacement Volume and 1997 Supplement)

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

22 **Article 2B - Alcoholic Beverages**

23 5-201.

24 (p) (1) This subsection applies only in Kent County.

25 (2) The annual license fee is \$1,000.

1           (3)     Any restaurant qualifying under § 6-201(p)(2)(ii) AND (III) of this  
2 article may apply to the Board of License Commissioners for a special Class B beer  
3 and light wine license.

4 6-201.

5       (p)     (1)     (i)     This subsection applies only in Kent County.

6           (2)     (ii)    To qualify for licensure under this subsection, the restaurant  
7 shall:

8                           1.     Be fully equipped with a proper and adequate dining  
9 room;

10                          2.     Have sufficient facilities for preparing and serving meals  
11 to the public; and

12                          3.     Be approved by the Board.

13                          (iii)   When operating under this license, a holder's average daily  
14 receipts from the sale of food shall comprise at least 60 percent of the average daily  
15 receipts of the business.

16 12-108.

17       (f)     (1)     This subsection applies in the following jurisdictions:

18                          (i)     Dorchester County;

19                          (ii)    Howard County;

20                          (III)   KENT COUNTY; and

21                          [(iii)] (IV)    Montgomery County.

22           (2)     The granting of probation before judgment to a licensee or employee  
23 of the licensee for violating subsection (a) of this section does not bar the Board of  
24 License Commissioners from proceeding administratively against the licensee for the  
25 violation.

26       SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
27 October 1, 1998.