

SENATE BILL 195
EMERGENCY BILL

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A2

1998 Regular Session
8r1480

By: **Senator McFadden**

Introduced and read first time: January 28, 1998

Assigned to: Economic and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Baltimore City - Alcoholic Beverages - License, Transfer, and**
3 **Administrative Fees**

4 FOR the purpose of altering in Baltimore City certain alcoholic beverages license fees;
5 altering in Baltimore City a certain fee for the transfer or assignment of a
6 license; establishing in Baltimore City a fee schedule for the production and
7 service of summonses and hearing notices; making this Act an emergency
8 measure; and generally relating to fees charged by the Board of License
9 Commissioners for Baltimore City.

10 BY repealing and reenacting, without amendments,
11 Article 2B - Alcoholic Beverages
12 Section 7-101(b)(1) and 8-801(c)
13 Annotated Code of Maryland
14 (1996 Replacement Volume and 1997 Supplement)

15 BY repealing and reenacting, with amendments,
16 Article 2B - Alcoholic Beverages
17 Section 7-101(b)(3) and (d)(3), 8-801(h), and 10-503(d)
18 Annotated Code of Maryland
19 (1996 Replacement Volume and 1997 Supplement)

20 BY adding to
21 Article 2B - Alcoholic Beverages
22 Section 16-410(e)
23 Annotated Code of Maryland
24 (1996 Replacement Volume and 1997 Supplement)

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

Article 2B - Alcoholic Beverages

1 7-101.

2 (b) (1) (i) Subject to subsection (a) of this section, a special Class C beer
3 license or a special Class C beer and wine license entitles the holder to exercise any of
4 the privileges conferred by the respective classes of licenses for the use of any person
5 holding any bona fide entertainment conducted by any club, society or association at
6 the place described in the license, for a period not exceeding seven consecutive days
7 from the effective date thereof.

8 (ii) The fee is \$5 per day.

9 (3) In Baltimore City the fee is [15] \$25 per day.

10 (d) (3) In Baltimore City:

11 (i) The holder of a Class C special beer, wine and liquor license
12 may purchase beer and light wine from a wholesale dealer.

13 (ii) The fee is [30] \$50 per day.

14 8-801.

15 (c) The Board may issue a special festival license for participation in a beer
16 festival to be held on Class B retail licensed premises or on nonlicensed premises
17 located in Baltimore City.

18 (h) The license fee is \$50 PER DAY.

19 10-503.

20 (d) (1) This subsection applies only in Baltimore City.

21 (2) A transfer of any license may only be made as authorized in
22 subsection (a) of this section if the Board has presented to it a receipt or certificate
23 from the Director of Finance showing there are no unpaid taxes on the merchandise,
24 fixtures, and stock of the transferor due to the City of Baltimore or the State of
25 Maryland.

26 (3) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE FEE
27 FOR TRANSFER OR ASSIGNMENT OF A LICENSE IS \$100 IN ADDITION TO THE COST OF
28 PUBLICATION AND NOTICE AND ANY HEARING FEES REQUIRED.

29 (II) A CLASS C LICENSEE MAY TRANSFER OR ASSIGN ONE LICENSE
30 DURING A LICENSE YEAR WITHOUT PAYING A FEE.

31 16-410.

32 (E) (1) THIS SUBSECTION APPLIES ONLY IN BALTIMORE CITY.

1 (2) THE BOARD SHALL CHARGE FEES FOR THE PRODUCTION AND
2 SERVICE OF SUMMONSES AND HEARING NOTICES. THOSE FEES ARE:

3 (I) \$25 FOR THE PRODUCTION OF HEARING NOTICES OR FOR
4 SUMMONSES REQUESTED BY PARTIES APPEARING BEFORE THE BOARD;

5 (II) \$5 FOR EACH ADDRESS SERVED IF THE SERVICE IS BY MAIL
6 AND THE ADDRESS IS PROVIDED TO THE BOARD; OR

7 (III) \$25 FOR EACH ADDRESS SERVED IF SERVICE IS BY AN
8 EMPLOYEE OF THE BOARD.

9 (3) IN ADDITION TO ANY OTHER FINES, PENALTIES, OR COSTS THAT MAY
10 BE IMPOSED BY THE BOARD, THE BOARD MAY ASSESS THE FEE FOR THE
11 PRODUCTION AND SERVICE OF SUMMONSES AND HEARING NOTICES AND A \$100
12 ADMINISTRATIVE HEARING FEE FOR ANY LICENSEE WHO THE BOARD IS CHARGING
13 WITH VIOLATION OF ANY LAW, STATUTE, RULE, OR REGULATION CONCERNING THE
14 SALE OF ALCOHOLIC BEVERAGES OR WHO IS REQUESTING A TRANSFER, EXPANSION,
15 OR NEW LICENSE.

16 SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an
17 emergency measure, is necessary for the immediate preservation of the public health
18 and safety, has been passed by a yea and nay vote supported by three-fifths of all the
19 members elected to each of the two Houses of the General Assembly, and shall take
20 effect from the date it is enacted.