
By: **Montgomery County Delegation**
Introduced and read first time: February 8, 1999
Assigned to: Economic Matters

Committee Report: Favorable with amendments
House action: Adopted
Read second time: March 23, 1999

CHAPTER _____

1 AN ACT concerning

2 **Montgomery County - Alcoholic Beverages Licenses - Theaters**
3 **MC 917-99**

4 FOR the purpose of authorizing the Montgomery County Board of License
5 Commissioners to issue a special theater (on-sale) ~~beer, wine and liquor~~ beer
6 and wine license for use in a theater that meets certain conditions; establishing
7 the times for sale under the license; establishing a certain fee for the license;
8 prohibiting the transfer of the license to another location; defining certain
9 terms; and generally relating to special theater alcoholic beverages licenses in
10 Montgomery County.

11 BY adding to
12 Article 2B - Alcoholic Beverages
13 Section 8-216.1
14 Annotated Code of Maryland
15 (1998 Replacement Volume and 1998 Supplement)

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

18 **Article 2B - Alcoholic Beverages**

19 8-216.1.

20 (A) THERE IS A SPECIAL THEATER LICENSE.

1 (B) (1) IN THIS SECTION, THE FOLLOWING WORDS HAVE THE MEANINGS
2 INDICATED.

3 (2) "BOARD" MEANS THE MONTGOMERY COUNTY BOARD OF LICENSE
4 COMMISSIONERS.

5 (3) "MOVIE THEATER" MEANS A BUILDING DESIGNED OR USED
6 PRIMARILY FOR THE EXHIBITION OF MOTION PICTURES TO THE GENERAL PUBLIC.

7 (4) (I) "PERFORMING ARTS THEATER" MEANS THOSE AREAS,
8 BUILDINGS, OR STRUCTURES DESIGNED AND USED FOR PLAYS, ACTS, DRAMAS, OR
9 HISTRIONICS BY ACTORS OR ACTRESSES PERFORMING ON A STAGE.

10 (II) "PERFORMING ARTS THEATER" DOES NOT INCLUDE EITHER
11 THE SHOWING OR EXHIBITION OF MOTION PICTURES OR A BUILDING OR
12 AMPHITHEATER THAT IS PART OF A SPORTS COMPLEX REGULARLY USED BY MINORS.

13 (C) THE BOARD MAY ISSUE A SPECIAL THEATER (ON-SALE) ~~BEER, WINE AND~~
14 ~~LIQUOR LICENSE FOR USE IN A THEATER IF THE THEATER:~~

15 (1) ~~IS A BUILDING THAT HAS A CAPACITY TO HOLD A MINIMUM OF 400~~
16 ~~PERMANENTLY INSTALLED SEATS AND REGULARLY PRESENTS LIVE~~
17 ~~ENTERTAINMENT; OR~~

18 (2) ~~IS AN OUTDOOR AMPHITHEATER THAT HAS A CAPACITY TO HOLD A~~
19 ~~MINIMUM OF 400 PERMANENT OR TEMPORARY SEATS AND SEASONALLY PRESENTS~~
20 ~~LIVE ENTERTAINMENT~~ BEER AND WINE LICENSE FOR USE ON THE PREMISES OF:

21 (1) A PERFORMING ARTS THEATER; OR

22 (2) A MOVIE THEATER OPERATED BY A BONA FIDE NONPROFIT
23 ORGANIZATION.

24 (D) NOTWITHSTANDING ANY OTHER PROVISION OF THIS ARTICLE TO THE
25 CONTRARY, A HOLDER OF A SPECIAL THEATER LICENSE IS AUTHORIZED TO SELL
26 ~~BEER, WINE AND LIQUOR~~ BEER AND WINE AT RETAIL FOR ON-PREMISES
27 CONSUMPTION WHEN SNACKS ARE SERVED:

28 (1) ~~FOR 2 HOURS BEFORE THE ENTERTAINMENT BEGINS;~~

29 (2) ~~DURING THE ENTERTAINMENT; AND~~

30 (3) ~~FOR 1 HOUR AFTER THE ENTERTAINMENT ENDS~~ 1 HOUR BEFORE
31 AND AFTER A PERFORMANCE;

32 (2) DURING INTERMISSIONS; AND

33 (3) DURING CAST PARTIES AND RECEPTIONS BEFORE AND AFTER A
34 PERFORMANCE.

35 (E) THE ANNUAL LICENSE FEE IS ~~\$500~~ \$100.

1 (F) A SPECIAL THEATER (ON-SALE) ~~BEER, WINE AND LIQUOR~~ BEER AND WINE
2 LICENSE MAY NOT BE TRANSFERRED FROM THE LOCATION OF ORIGINAL ISSUANCE
3 TO ANOTHER LOCATION.

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
5 October 1, 1999.