

BY: Economic and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL NO. 62

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Multiple Class H" and substitute "Board of License Commissioners - Issuance of"; in lines 4 and 8, in each instance, after "of" insert "certain"; in line 5, after "of" insert "additional"; in line 11, after "conditions;" insert "establishing a certain limitation on the number of additional Class H licenses that the Board may issue;"; in line 12, after "out" insert "certain provisions of"; in line 16, after "persons;" insert "establishing that the Board may issue certain licenses based on certain criteria; defining certain terms;"; in the same line, strike "Class H" and substitute "the issuance of"; and after line 22, insert:

"BY repealing and reenacting, without amendments,

Article 2B - Alcoholic Beverages

Section 9-203(a)

Annotated Code of Maryland

(1998 Replacement Volume and 1999 Supplement)".

On page 2, in line 2, after "Section" insert "9-203(b) and".

AMENDMENT NO. 2

On page 2, in line 9, strike "ANY RETAIL" and substitute "A CLASS H".

AMENDMENT NO. 3

On page 3, in line 4, strike "AT LEAST ONE OF THE LICENSES" and substitute "EACH LICENSE"; and in line 6, strike "THE CLASS H LICENSE" and substitute "ONE OF THE CLASS H LICENSES".

AMENDMENT NO. 4

On page 4, in line 1, after "(4)" insert "THE BOARD MAY NOT ISSUE MORE THAN 30

(Over)

ADDITIONAL CLASS H LICENSES UNDER THIS SUBSECTION.

(5)”;

in line 3, strike “(5)” and substitute “(6)”; in line 7, strike “ACT” and substitute “SUBSECTION”; and after line 11, insert:

“9-203.

(a) This section applies only in Anne Arundel County.

(b) (1) (i) The Board of License Commissioners may restrict any specified area within the County to the existing number of licenses in that area or to any other number of licenses it deems appropriate.

(ii) Before any specified area is restricted, the Board shall conduct a hearing on the proposed restricted area. The hearing shall be advertised in the manner required for the issuance of a new license. After testimony is taken for and against the restriction of licenses in a specified area, the Board may prohibit the issuance of additional licenses, or fix the number of licenses to be permitted in that area, and shall determine the limits of that area.

(iii) The Board may restrict the number of licenses or prohibit additional licenses in any specified area, when, in the opinion of the Board, the area has:

1. Sufficient licensed premises for the accommodation of the public;

2. Become saturated with licensed premises to the extent that special policing is required and traffic hazards are created; or

3. Changed character so that the existing number of licensed premises is inconsistent with present usage of the area and an increase in the number of licensed premises located within the area will unduly disturb the peace of its residents.

(iv) A specified area may be restricted by the Board for any period between one and four years. At the end of the period fixed by the Board, the restrictions shall terminate and be of no further effect, unless the Board conducts another hearing and further restricts the number of licenses as provided in this section.

(2) The Board shall conduct a hearing on restricting the number of licenses or prohibiting additional licenses in any specified area upon the receipt of a petition requesting the restriction or prohibition and designating the specific area to be restricted. The petition shall be signed by at least 25 persons who are property owners and registered voters of the precinct in which the proposed restricted area is located.

(3) (I) 1. IN THIS PARAGRAPH THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

2. “OVERSERVED DISTRICT” MEANS AN ASSESSMENT DISTRICT IN THE COUNTY IN WHICH THE RATIO OF OFF-SALE LICENSES PER PERSON IS LESS THAN ONE PER 4,000 PERSONS.

3. “UNDERSERVED DISTRICT” MEANS AN ASSESSMENT DISTRICT IN THE COUNTY IN WHICH THE RATIO OF OFF-SALE LICENSES PER PERSON IS MORE THAN ONE PER 4,000 PERSONS.

(II) 1. THE BOARD MAY ISSUE A CLASS A, CLASS B, OR CLASS D (OFF-SALE) LICENSE BASED ON ITS DETERMINATION AS TO WHETHER THE LICENSE IS NECESSARY FOR THE ACCOMMODATION OF THE PUBLIC.

2. IN DETERMINING WHETHER A CLASS A, CLASS B, OR CLASS D (OFF-SALE) LICENSE IS NECESSARY FOR THE ACCOMMODATION OF THE PUBLIC, THE BOARD MAY, BUT IS NOT REQUIRED TO, CONSIDER WHETHER THE PREMISES TO WHICH THE LICENSE WOULD APPLY IS LOCATED IN AN UNDERSERVED DISTRICT OR AN OVERSERVED DISTRICT.”.