

HOUSE BILL 38

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HB 105/99 - ECM

2000 Regular Session
0lr0288

(PRE-FILED)

By: **Delegate Arnick**
Requested: July 7, 1999
Introduced and read first time: January 12, 2000
Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Baltimore County - Alcoholic Beverages - Board of License Commissioners -**
3 **Appeals**

4 FOR the purpose of establishing in Baltimore County that certain persons and
5 business owners may appeal to the Circuit Court for Baltimore County a final
6 decision of the Board of License Commissioners; excluding Baltimore County
7 from among the counties in which a party must pay all costs incident to the local
8 licensing board hearing before making an appeal to the circuit court; and
9 generally relating to appeals from final decisions of the Baltimore County Board
10 of License Commissioners.

11 BY repealing and reenacting, with amendments,
12 Article 2B - Alcoholic Beverages
13 Section 16-101(b)
14 Annotated Code of Maryland
15 (1998 Replacement Volume and 1999 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 16-101.

20 (b) (1) (i) Except in BALTIMORE COUNTY AND Howard County, any
21 licensee or applicant for a license, or any group of not less than 10 persons who are
22 residents or real estate owners in the precinct or voting district in which the licensed
23 place of business is located or proposed to be located, may appeal therefrom to the
24 circuit court of the county upon payment of all costs incident to the hearing before the
25 local licensing board.

26 (ii) IN BALTIMORE COUNTY, A LICENSEE, A LICENSE APPLICANT, A
27 GROUP OF NOT LESS THAN 10 PERSONS WHO ARE RESIDENTS OR REAL ESTATE
28 OWNERS IN THE ELECTION DISTRICT IN WHICH THE LICENSED PREMISES ARE

1 LOCATED OR PROPOSED TO BE LOCATED, OR AN OWNER OF A BUSINESS LOCATED IN
2 THE ELECTION DISTRICT IN WHICH THE LICENSED PREMISES ARE LOCATED OR
3 PROPOSED TO BE LOCATED MAY APPEAL A FINAL DECISION OF THE BOARD OF
4 LICENSE COMMISSIONERS TO THE CIRCUIT COURT FOR BALTIMORE COUNTY.

5 (III) In Howard County, a licensee, a license applicant, or a group of
6 not less than 10 persons may appeal a final decision of the Board of License
7 Commissioners to the Circuit Court if the licensee, license applicant, or the group is
8 aggrieved by the decision and has appeared at the hearing of the Board of License
9 Commissioners either:

10 1. In person or by representative; or

11 2. By the submission of a written document that was
12 introduced at the hearing.

13 (2) In Prince George's County, the governing body of the municipality in
14 which the licensed place of business is located or proposed to be located may appeal
15 therefrom to the Circuit Court of the County upon payment of all costs incident to the
16 hearing before the Board of License Commissioners.

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
18 October 1, 2000.