

HOUSE BILL 62

Unofficial Copy  
A2

2000 Regular Session  
0lr0698

(PRE-FILED)

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By: **Delegates Leopold, Sophocleus, and Love**

Requested: October 15, 1999

Introduced and read first time: January 12, 2000

Assigned to: Economic Matters

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A BILL ENTITLED

1 AN ACT concerning

2 **Anne Arundel County - Multiple Class H Licenses**

3 FOR the purpose of authorizing the Anne Arundel County Board of License  
4 Commissioners to issue to holders of retail alcoholic beverages licenses a certain  
5 number of Class H (beer, wine and liquor) licenses or Class H (beer and wine)  
6 licenses under certain circumstances; authorizing the Board to issue to persons  
7 who do not hold a retail alcoholic beverages license a certain maximum number  
8 of licenses under certain conditions; requiring the Board of License  
9 Commissioners to adopt regulations to carry out this Act; requiring the Anne  
10 Arundel County Economic Development Corporation in consultation with the  
11 Board of License Commissioners for Anne Arundel County to conduct a certain  
12 study and to report its findings and recommendations on or before a certain date  
13 to certain persons; and generally relating to Class H alcoholic beverages licenses  
14 in Anne Arundel County.

15 BY adding to  
16 Article 2B - Alcoholic Beverages  
17 Section 9-102(h-1)  
18 Annotated Code of Maryland  
19 (1998 Replacement Volume and 1999 Supplement)

20 BY repealing and reenacting, with amendments,  
21 Article 2B - Alcoholic Beverages  
22 Section 9-301(3)  
23 Annotated Code of Maryland  
24 (1998 Replacement Volume and 1999 Supplement)

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

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**Article 2B - Alcoholic Beverages**

2 9-102.

3 (H-1) (1) A CURRENT HOLDER OF ANY RETAIL ALCOHOLIC BEVERAGES  
4 LICENSE IN ANNE ARUNDEL COUNTY MAY BE ISSUED A SECOND LICENSE BY THE  
5 ANNE ARUNDEL COUNTY BOARD OF LICENSE COMMISSIONERS IF:

6 (I) THE SECOND LICENSE IS A CLASS H (BEER, WINE AND LIQUOR)  
7 LICENSE OR A CLASS H (BEER AND WINE) LICENSE; AND

8 (II) THE RESTAURANT FOR WHICH THE CLASS H LICENSE UNDER  
9 ITEM (I) OF THIS PARAGRAPH IS SOUGHT IS LOCATED WITHIN:

10 1. A SUBURBAN COMMUNITY CENTER DESIGNATED BY ANNE  
11 ARUNDEL COUNTY IN ACCORDANCE WITH BILL NOS. 36-96 AND 70-96 OF THE  
12 ORDINANCES OF ANNE ARUNDEL COUNTY; OR

13 2. ONE OF THE FOLLOWING LOCATIONS AS THEY EXISTED  
14 ON OCTOBER 1, 1999:

15 A. THE GLEN BURNIE URBAN RENEWAL AREA;

16 B. THE PAROLE TOWN CENTER GROWTH MANAGEMENT  
17 AREA;

18 C. THE ODENTON TOWN CENTER GROWTH MANAGEMENT  
19 AREA;

20 D. THE BALTIMORE-WASHINGTON INTERNATIONAL AIRPORT  
21 STATE PRIORITY FUNDING AREA, AS DESIGNATED BY ANNE ARUNDEL COUNTY IN  
22 ACCORDANCE WITH ARTICLE 83A, § 5-1101(K)(6) OF THE CODE; OR

23 E. A SHOPPING CENTER WITH A GROSS AREA OF AT LEAST 1  
24 MILLION SQUARE FEET THAT IS ZONED C3 GENERAL COMMERCIAL BY THE ZONING  
25 ARTICLE OF THE ANNE ARUNDEL COUNTY CODE.

26 (2) A PERSON WHO DOES NOT HOLD A RETAIL ALCOHOLIC BEVERAGES  
27 LICENSE IN ANNE ARUNDEL COUNTY MAY BE ISSUED A MAXIMUM OF TWO LICENSES  
28 BY THE ANNE ARUNDEL COUNTY BOARD OF LICENSE COMMISSIONERS IF:

29 (I) AT LEAST ONE OF THE LICENSES IS A CLASS H (BEER AND  
30 WINE) LICENSE OR A CLASS H (BEER, WINE AND LIQUOR) LICENSE; AND

31 (II) THE RESTAURANT FOR WHICH THE CLASS H LICENSE UNDER  
32 ITEM (I) OF THIS PARAGRAPH IS SOUGHT IS LOCATED WITHIN:

33 1. A SUBURBAN COMMUNITY CENTER DESIGNATED BY ANNE  
34 ARUNDEL COUNTY IN ACCORDANCE WITH BILL NOS. 36-96 AND 70-96 OF THE  
35 ORDINANCES OF ANNE ARUNDEL COUNTY; OR

- 1  
2 ON OCTOBER 1, 1999:
- 3                                   2.       ONE OF THE FOLLOWING LOCATIONS AS THEY EXISTED
- 4                                   A.       THE GLEN BURNIE URBAN RENEWAL AREA;
- 5 AREA;
- 6                                   B.       THE PAROLE TOWN CENTER GROWTH MANAGEMENT
- 7 AREA;
- 8                                   C.       THE ODENTON TOWN CENTER GROWTH MANAGEMENT
- 9 STATE PRIORITY FUNDING AREA, AS DESIGNATED BY ANNE ARUNDEL COUNTY IN
- 10 ACCORDANCE WITH ARTICLE 83A, § 5-1101(K)(6) OF THE CODE; OR
- 11                                   D.       THE BALTIMORE-WASHINGTON INTERNATIONAL AIRPORT
- 12 MILLION SQUARE FEET THAT IS ZONED C3 GENERAL COMMERCIAL BY THE ZONING
- 13 ARTICLE OF THE ANNE ARUNDEL COUNTY CODE.
- 14                                   E.       A SHOPPING CENTER WITH A GROSS AREA OF AT LEAST 1

15 REGULATIONS TO CARRY OUT THIS SUBSECTION.

16                                   (3)       THE ANNE ARUNDEL COUNTY ECONOMIC DEVELOPMENT

17 CORPORATION, IN CONSULTATION WITH THE BOARD OF LICENSE COMMISSIONERS

18 FOR ANNE ARUNDEL COUNTY:

19                                   (I)       SHALL CONDUCT A COMPREHENSIVE STUDY OF THE IMPACT

20 OF THIS ACT ON THE ECONOMY OF ANNE ARUNDEL COUNTY; AND

21                                   (II)       ON OR BEFORE JANUARY 1, 2006, SHALL SUBMIT ITS FINDINGS

22 AND RECOMMENDATIONS TO THE ANNE ARUNDEL COUNTY HOUSE DELEGATION,

23 THE ANNE ARUNDEL COUNTY SENATE DELEGATION, THE COUNTY EXECUTIVE FOR

24 ANNE ARUNDEL COUNTY, AND THE ANNE ARUNDEL COUNTY COUNCIL.

25 9-301.

26       In the enumerated subdivisions below, a person, partnership, firm or

27 corporation, except by way of renewal, may not have an interest in more than one

28 license, whether held or controlled by direct or indirect ownership, by stock

29 ownership, interlocking directors or interlocking stock ownership, or in any other

30 manner, directly or indirectly. It is the intention of this section to prohibit any person,

31 firm, partnership or corporation from having any interest, directly or indirectly, in

32 more than one license.

33                                   (3)       (i)       In Anne Arundel County, a person, franchisor, franchisee, chain

34 store operation, partnership, firm or corporation, except by way of renewal, may not

35 have any interest in more than one license, whether held or controlled by direct or

36 indirect ownership, by franchise operation, by chain store operation, by stock

37 ownership, interlocking directors or interlocking stock ownership, or in any other

38 manner directly or indirectly. It is the intention of this subsection to prohibit any such

1 persons, franchisor, franchisee, chain store operation, firm, partnership, or  
2 corporation from having any interest, directly or indirectly, in more than one license.  
3 Nothing in this subsection applies to or affects any such type of business  
4 establishment already holding such a license or the possibility of such licensee having  
5 the license transferred to a similar type of business establishment.

6 (ii) This subsection does not apply to licenses issued under the  
7 provisions of §§ 8-202(i) AND 9-102(H-1) of this article.

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