
By: **Delegate Arnick**
Introduced and read first time: February 4, 2000
Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Alcoholic Beverages - Local Licensing Boards - Appeals to Circuit Courts**

3 FOR the purpose of establishing that a certain alcoholic beverages licensee or a
4 certain alcoholic beverages applicant may appeal a decision of a local alcoholic
5 beverages licensing board to the circuit court of the county under certain
6 circumstances; and generally relating to the appeal of a final decision of a local
7 alcoholic beverages licensing board.

8 BY repealing and reenacting, with amendments,
9 Article 2B - Alcoholic Beverages
10 Section 16-101(a) and (b)
11 Annotated Code of Maryland
12 (1998 Replacement Volume and 1999 Supplement)

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

15 **Article 2B - Alcoholic Beverages**

16 16-101.

17 (a) The decision of a local licensing board, in approving, suspending, revoking
18 and restricting, or refusing to approve, suspend, revoke or restrict [any] A license, or
19 A licensee, shall be subject to appeal in the manner provided in this section.

20 (b) (1) (i) Except in Howard County, any ALCOHOLIC BEVERAGES
21 licensee ISSUED A LICENSE BY THE LOCAL LICENSING BOARD, [or] AN applicant for
22 [a] AN ALCOHOLIC BEVERAGES license FROM THE LOCAL LICENSING BOARD THAT
23 MADE THE DECISION, or any group of not less than 10 persons who are residents or
24 real estate owners in the precinct or voting district in which the licensed place of
25 business is located or proposed to be located, may appeal therefrom to the circuit
26 court of the county upon payment of all costs incident to the hearing before the local
27 licensing board.

1 (ii) In Howard County, [a] ANY ALCOHOLIC BEVERAGES licensee
2 ISSUED A LICENSE BY THE BOARD OF LICENSE COMMISSIONERS, [a] AN APPLICANT
3 FOR AN ALCOHOLIC BEVERAGES license [applicant] FROM THE BOARD, or a group of
4 not less than 10 persons may appeal a final decision of the Board [of License
5 Commissioners] to the Circuit Court if the licensee, license applicant, or the group is
6 aggrieved by the decision and has appeared at the hearing of the Board of License
7 Commissioners either:

- 8 1. In person or by representative; or
- 9 2. By the submission of a written document that was
10 introduced at the hearing.

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

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