
By: **Delegates Love, Pendergrass, Moe, and Turner**
Introduced and read first time: February 11, 2000
Assigned to: Economic Matters

Committee Report: Favorable with amendments
House action: Adopted
Read second time: March 21, 2000

CHAPTER _____

1 AN ACT concerning

2 **Alcoholic Beverages - License Prohibitions - Exceptions**

3 FOR the purpose of creating a certain exception to the prohibition against issuing
4 ~~more than one~~ certain alcoholic beverages ~~license~~ licenses ~~to a person~~ certain
5 ~~persons; creating a certain exception to the prohibition against certain licensees~~
6 ~~having a financial interest in certain licensed premises; authorizing certain~~
7 ~~manufacturers to have a financial interest in certain licensed premises; and~~
8 generally relating to exceptions to alcoholic beverages license prohibitions.

9 BY repealing and reenacting, without amendments,
10 Article 2B - Alcoholic Beverages
11 Section ~~9-102(a)~~ 12-104(b)(1)
12 Annotated Code of Maryland
13 (1998 Replacement Volume and 1999 Supplement)

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

19 BY repealing and reenacting, with amendments,
20 Article 2B - Alcoholic Beverages
21 Section ~~12-104(b)(1)~~ 12-104(e)
22 Annotated Code of Maryland
23 (1998 Replacement Volume and 1999 Supplement)

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

3 **Article 2B - Alcoholic Beverages**

4 ~~9-102.~~

5 (a) ~~No more than one license provided by this article, except by way of renewal~~
6 ~~or as otherwise provided in this section, shall be issued in any county or Baltimore~~
7 ~~City, to any person, or for the use of any partnership, corporation, unincorporated~~
8 ~~association, or limited liability company, in Baltimore City or any county of the State,~~
9 ~~and no more than one license shall be issued for the same premises except as provided~~
10 ~~in §§ 2-201 through 2-208, 2-301, and 6-701, and nothing herein shall be construed~~
11 ~~to apply to subsections (b) and (c) of § 7-101 or to § 12-202 (pertaining to special~~
12 ~~music or dancing licenses for Anne Arundel County) of this article.~~

13 (B) ~~NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (A) OF THIS~~
14 ~~SECTION, A CLASS 6 PUB BREWERY LICENSEE OR A CLASS 7 MICRO BREWERY~~
15 ~~LICENSEE MAY HOLD ONE ADDITIONAL RETAIL LICENSE FOR USE ON PREMISES TO~~
16 ~~WHICH THE CLASS 6 PUB BREWERY LICENSE OR THE CLASS 7 MICRO BREWERY~~
17 ~~LICENSE DOES NOT APPLY.~~

18 ~~12-104.~~

19 (b) (1) (A) ~~{A} EXCEPT AS PROVIDED IN SUBPARAGRAPH (H) OF THIS~~
20 ~~PARAGRAPH, A~~ business entity may not have any financial interest in the premises
21 upon or in which any alcoholic beverage is sold at retail by any licensee or in any
22 business conducted by any licensee.

23 (H) ~~A CLASS 6 PUB BREWERY LICENSEE OR A CLASS 7~~
24 ~~MICRO BREWERY LICENSEE MAY HAVE A FINANCIAL INTEREST IN THE PREMISES TO~~
25 ~~WHICH:~~

26 1. ~~THE CLASS 6 PUB BREWERY LICENSE OR THE CLASS 7~~
27 ~~MICRO BREWERY LICENSE APPLIES; OR~~

28 2. ~~AN ADDITIONAL RETAIL LICENSE ISSUED UNDER §~~
29 ~~9-102(B) OF THIS ARTICLE APPLIES.~~

30 (e) (1) The provisions of subsections (b) and (d) of this section do not apply to
31 a holder of a Class 3 or Class 4 winery manufacturer's license who is issued a Class
32 A2 light wine on- and off-sale license in Baltimore City with respect to the wine
33 manufactured or bottled on the winery premises.

34 (2) The provisions of subsections (b) and (c) of this section do not apply to
35 the holder of a Class 6 pub-brewery license with respect to the malt beverages brewed
36 on the premises of the pub-brewery.

37 (3) The provisions of subsections (b) and (c) of this section do not apply to
38 a holder of a Class 7 micro-brewery license with respect to the malt beverages brewed

1 on the premises of the micro-brewery for the purpose of being licensed as a retailer
2 for selling on the brewery licensed premises or in a restaurant or brewery pub owned,
3 conducted, and operated by the holder in or adjacent to the brewery for which it is
4 licensed.

5 (4) IN ADDITION TO THE RETAIL LICENSE REQUIRED UNDER § 2-207 OR §
6 2-208 OF THIS ARTICLE, A CLASS 6 PUB-BREWERY LICENSEE OR A CLASS 7
7 MICRO-BREWERY LICENSEE MAY HOLD OR HAVE A FINANCIAL INTEREST IN ONE
8 ADDITIONAL RETAIL ALCOHOLIC BEVERAGES LICENSE THAT DOES NOT APPLY TO
9 PREMISES TO WHICH A CLASS 6 PUB-BREWERY LICENSE OR CLASS 7
10 MICRO-BREWERY LICENSE APPLIES.

11 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
12 June 1, 2000.